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Consideration of reports submitted by States parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic reports of States parties

Peru*

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* The present report is being issued without formal editing. For the initial report submitted by the Government of Peru, see CEDAW/C/5/Add.60, which was considered by the Committee at its ninth session. For the second periodic report submitted by the Government of Peru, see CEDAW/C/13/Add.29, which was considered by the Committee at its fourteenth session. For the combined third and fourth periodic reports submitted by the Government of Peru, see CEDAW/C/PER/3-4, considered by the Committee at its nineteenth session.

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Abbreviations

AF	Armed Forces
CAM	Adult Centre
CNA	National Agrarian Confederation
COFOPRI	Commission for the Formalization of Informal Ownership
CONCYTEC	National Science and Technology Council
COOPOP	Grassroots Cooperation
COORDIPLAN	National Commission for Coordination of Family Planning and Reproductive Health Policies
DEMUNAS	Office of Municipal Defender of Children and Adolescents
DIGEMIN	Directorate of Migration and Naturalization
EDPYMES	Entities for the Development of Small and Micro-enterprises
ENAHO	National Household Survey
ENDES	Demographic and Family Health Survey
ESSALUD	Health Insurance
FEAS	Promotion of Technology Transfer to Peasant Communities of the Sierra
FONDEMI	Micro-enterprise Development Fund
GOOL	Organized Female Labour Supply Groups
GRUPEAM	Advocacy Group for Households Free of Domestic Violence
INAFIB	National Institute for Family Wellbeing
INDECOPI	National Institute to Safeguard Competition and Protect Intellectual Property
INEI	National Institute of Statistics and Information Science
INFES	Education and Health Infrastructure
INIA	National Institute of Agrarian Research
IPSS	Peruvian Social Security Institute
MARENASS	Natural Resource Management in the Southern Sierra
MEA	Manual endouterine aspiration
MITINCI	Ministry of Industry, Tourism, Integration and International Trade Negotiations
NGOs	Non-governmental organizations
ONPE	National Office of Electoral Processes
PAR	Programme to Support the Resettlement and Development of Emergency Zones

PCM	Office of President of the Council of Ministers
PEP	Peer Education Promoters
PETT	Land Titling Programme
PF	Police Forces
PLANCAD	National Teacher Training Plan
PROCETSS	Programme to Control Sexually Transmitted Diseases
PROFECE	Women's Programme to Consolidate Employment
PROFINES	Programme to Target Economic and Social Investment
PROMUDEH	Ministry for the Advancement of Women and Human Development
PRONAA	National Programme for Food Aid
PRONAMACHCS	National Watershed Management and Soil Conservation Project
PRONAP	National Potable Water Programme
REHAVIR	Project to Rehabilitate Rural Housing and Basic Services of Families Displaced by Violence
SAMEPEL	Sanitation Programme for Medium-sized and Small Localities
S.D.	Supreme Decree
SEG	Free Student Insurance
SIATF	Computer Support System for Investigative Work
SMEs	Small and Micro-enterprises
STDs	Sexually transmitted diseases
TFR	Total Fertility Rate
TU	Tax Unit
TUO	Single Uniform Text
WFP	World Food Programme
WHO	World Health Organization

Signs and symbols

-	Information not available
US$	United States dollars

Introduction

The fifth report details the Peruvian Government's progress in implementing the Convention on the Elimination of All Forms of Discrimination against Women. Articles 1-16 highlight the principal achievements in the period July 1998 to July 1999, particularly in the legal sphere. The primary benchmarks used were the third and fourth reports covering the period 1990-94, and the Supplementary report covering the years from 1995 to 1998, together with the amplification to the Fourth report submitted by the Government of Peru.

In its clarifications and other incorporated material, the present document includes the information referred to by the CEDAW Committee, which considered the preceding reports at its 397th and 398th sessions held on 6 July 1998 (CEDAW C/PER/3-4).

General section

General characteristics of the country

Geographical location of Peru

In relation to the equator, Peru is located in the southern hemisphere. It lies in the central western part of South America, with its coasts extending along the Pacific Ocean. Since the entire country is located in the tropics, its climate should be hot and humid; however, a number of different accidents and features — the Andes, high-pressure movement of air masses from the South Pacific, Humboldt Current, etc. — make Peru's territory geographically complex, in terms of not only of its climate but also its morphology, geology, ecology and economy.

Territorial organization

Peru is characterized by the sharp relief of its territory. Rising from the coast, it ascends to the peaks of the Andes mountain chain running from north to south before descending through the tropical rain forest or Selva.

Peru has three natural divisions or natural regions: the coastal strip, the Sierra and the Selva.

Each natural region presents a variety of microclimates, each with its own fauna and flora.

Politically, the country is made up of 24 departments and one constitutional province, 1,818 districts, and 194 provinces.

The country's capital and largest city is Lima, which has a population of 7,331,257 inhabitants.

Land area

Peru's total land area is 1,285,215.6 square kilometres.

Government

The system of government that holds sway over the country's destiny is based on constitutionality, democracy, and the representativeness of its authorities. Peru has a free-market economy based on the free interplay of supply and demand.

Population

Peru has a population of 25,232,226, of whom 49.9 per cent are men and 50.1 per cent are women.

Women in the population

In 1999, the female population stood at 12,716,000, representing 50.1 per cent of the country's total population. In the decade so far, that is, between 1990 and 1999, it has risen by more than one million, and by the year 2000 it is projected at 12,935,000 women.

Thirty-four per cent of women are below 15 years of age

The female population continues to be young, with those aged 15 years or less accounting for 34 per cent of the total; 52.2 per cent are of childbearing age, that is, between 15 and 49 years of age. By contrast, women aged 65 and over represent only 4.9 per cent of the female population.

The age structure shows that the proportion of those aged 15 years or less is declining, while the 15-64 age group is increasing more rapidly.

Women live chiefly in urban areas

Statistics reveal that more Peruvian women live in urban than in rural areas. In 1990, they represented 69.2 per cent of the total female population, compared with 73.3 per cent in 1977; the urban female population has risen by 199,000 a year, whereas that in rural areas has increased by only 12,000.

Women heads of household

23.3 per cent of the country's households are headed by women, who have in their care some 4.5 million people.

Women in the Peruvian Amazon

Forty-eight per cent of the indigenous population is female

Women in the Peruvian Amazon account for 48 per cent of the indigenous population living in the departments situated in the Selva. Their age structure reveals them to be a very young population. Females younger than 15 years represent 50.6 per cent of the total, with 48 per cent in the 15-65-year age group, and only 1.4 per cent aged 65 and over.

Forty-five per cent of indigenous women are illiterate

44.7 per cent of indigenous women are illiterate; this illiteracy rate is higher than the national average for women (18.3 per cent) and slightly above the figure of 42.9 per cent for those living in the country's rural areas.

Similarly, the educational level attained by them is lower than that of men, except for the women With No Schooling or Pre-schooling who account for 44 per cent. This situation reflects the discrimination against girls in terms of educational opportunities.

The proportion of illiterate indigenous women is twice that of indigenous men, which stands at 22.8 per cent.

Fertility and health

Decline in number of children per woman

The country's current average fertility rate is 3.5 children per woman, a decrease of 15 per cent over the last ten years, that is, between 1986 and 1996.

This decline in fertility is believed to be associated primarily with greater access to mother-and-child health services, the increased access of women to the labour market, and the increase in the educational level of the country's population, particularly among women, during the last decade, driven in all instances by the growing concentration of the population in the urban areas of the country.

Thirteen per cent of female adolescents are mothers

At the end of 1996, slightly more than 173,000 female adolescents aged between 15 and 19 were already mothers or were pregnant for the first time, representing 13.4 per cent of all women in that age group. This proportion is almost three times higher in rural areas (25.6 per cent) than in urban areas (9.3 per cent), according to the results of the Demographic and Family Health Survey ENDES III.

Of all natural regions, the Selva has the highest proportion of adolescent mothers or first-time pregnancies with a rate of 30.8 per cent, four times higher than that of metropolitan Lima (7.5 per cent), three times that of the rest of the Coastal region (11.6 per cent), and twice that of the Sierra (14.5 per cent).

Moreover, the incidence of youthful pregnancies is also greater among adolescents with no schooling (55.5 per cent), compared with a 2.6 per cent maternity rate among adolescents with advanced schooling. The incidence of young mothers or pregnant women among adolescents with primary schooling is 30.6 per cent.

Although pregnancies at very early ages are part of the cultural patterns in some areas, such as rural zones or the Selva, in the large cities these pregnancies are unwanted and occur among couples that have not embarked on a life together, which usually leads to the abandonment of the mother and child, thereby giving rise to the social problem of the "single mother".

Clarifications to the fourth report

Clarification 1

"Whether the Convention is already incorporated in legislation (Constitutional Procedure); whether the judiciary has the authority to implement Convention provisions before the courts, what degree of access there is for women to the Convention and to the Ombudsman and, lastly, whether

cases of discrimination have been resolved by the courts with reference to the Convention." (para. 316 of the Comments by the Committee)

The Convention was signed by Peru on 23 July 1981 and approved by Legislative Resolution No. 23432 on 4 June 1982; the instrument of ratification was executed on 20 August 1982 and deposited with the United Nations on 13 September 1982.

Chapter II: Concerning Treaties, of Peru's Political Constitution of 1993 contains three articles governing the application of treaties in national legislation; it reads verbatim: Treaties signed by the State and in force are part of national law. The Convention is therefore deemed incorporated into the body of domestic law for purposes of legislating on national matters.

The Judiciary applies all domestic legislation in its rulings, and, since the Constitution is the highest-ranking statute and Article 2(2) thereof prohibits all discrimination including that based on gender, Article 1 of the Convention is consistent with the provisions of the Constitution and is applied in judicial rulings. Judges have been trained and sensitized with respect to the Convention on Discrimination Against Women in order that they may apply it to their rulings in cases involving discrimination and violation of these rights.

Similarly, the Ombudsman's Office is defined in Articles 161 and 162 of Peru's Political Constitution; this office includes the office of the Public Defender Specializing in Women's Rights, whose primary function is to defend the constitutional and fundamental rights of women and to promote the eradication of any state government acts that reveal discrimination, as well as to initiate constitutional proceedings to safeguard the rights of women through the application of the Convention.

Clarification 2

"Whether the definition contained in Act No. 26772, which establishes what is meant by discrimination, is consistent with Article 1 of the Convention relating to direct and indirect discrimination.

"The manner in which the criterion of 'objective and reasonable justification' has been implemented and whether a definition of *discrimination* reflecting Article 1 of the Convention is now an enforceable part of the law."

With respect to *direct discrimination*, this should be construed as an act intended to discriminate on the bases set forth in the Convention and in our Constitution; whereas *indirect discrimination* is deemed to be an act which when committed caused discrimination and was foreseen to be discriminating.

The same Act No. 26772 also states that natural or juridical persons guilty of discrimination will be punishable without prejudice to any indemnification that may be awarded (for further details on the penalties in this act, see Article 11 of the Fifth report).

It should be noted that this act applies specifically to *offers of employment and access to education*, since private companies were making offers of employment with requirements that openly discriminated on the basis of age, gender and physical characteristics and constituted discrimination against women.

The definition of the term "discrimination" in this act is indeed consistent with Article 1 of the CEDAW Convention. The following observations are pertinent here:

- The scope of the term referred to is ad hoc for purposes of the Convention, and it is consequently binding upon States parties to observe it and include it in related national legislation.
- The criterion used for objective and reasonable justification has involved distinguishing between discrimination and differentiation, as in the case of employment offers requiring skills and professional experience, since not all differences in treatment constitute discrimination.
- Indeed, inequalities in legal treatment do sometimes occur without violating justice simply because of the way things are. We can thus affirm that the criterion in the Act refers to the fact that the distinction in treatment is discriminatory when it lacks objective and reasonable justification.

Clarification 3

The Peruvian Government reported on a non-temporary protective measure in Peruvian law, namely rest periods for women before and after parturition; clarify whether this measure is temporary or permanent.

"The Committee observes that Article 4 of the Convention is being misinterpreted and that no distinction is being made between protective measures and the definitions of affirmative temporary special measures contemplated in the Convention" (Committee comment No. 321).

The Act on pre- and postnatal rest is a permanent, not temporary, measure provided for women while pregnant and after giving birth as a (permanent) means of protecting mother and child.

Act No. 26644 of June 1966, which is under review, states that working women who are pregnant are entitled to 45 days off both before and after childbirth. It further provides that the prenatal leave may be deferred in whole or in part and combined with the postnatal leave at the option of the individual, provided that this does not affect her health or that of her child. Her decision is to be communicated to the employer at least two months before the probable delivery date.

In this respect, the *protective measures* are understood to be those that are designed to protect against any situation of vulnerability against the person and that justify such protection as the supreme goal of human beings, as vouchsafed by law. To the extent that the *temporary special measures* are seen as those which are to be applied for a specified period and are special in the sense that they are not yet covered by regulations, they are construed as those whose purpose is to achieve *de facto* equality between men and women as provided in the Convention. Once the objective has been achieved, the measure becomes moot. Example: the Quotas Act.

It should be pointed out that in the earlier (and Supplementary) report the Pre- and Postnatal Rest Act was incorporated in Article 4, which is where the temporary measures are included; moreover, paragraph 2 of Article 4 refers to the maternity protection measures, and it was on the strength of that paragraph that the Act in question was enacted.

Clarification 4

"It should also be noted that, in connection with paragraphs 36 and 37 of Act No. 26260 on protection against domestic violence (Specific Act on domestic violence pursuant to the Belém do Pará Convention), the next report should clarify for the Committee the scope of the act in question and highlight the fact that it does not cover sexual abuse or incest." (Committee Comment No. 327)

As already indicated in the Supplementary report, Act No. 26260 sets forth the State's policy on domestic violence, as well as pertinent protective measures.

This act defines domestic violence as any action or omission causing physical or psychological harm, mistreatment without injury, including threats or grave coercion, that occurs between persons living together in the home, whether they be spouses, common-law wives, or relatives in the ascending or descending line, etc.

It should be pointed out that this act **does not cover incest and sexual abuse** as instances of domestic violence, since the latter are classified as crimes in the Penal Code in the chapter on Violation of Sexual Freedom (Articles 170-174). In addition, Act No. 26788 of 15 May 1997 amended the Penal Code to include the relationship of the aggressor in all cases where the latter has caused injuries to a minor.

In this respect, sexual abuse is punishable by law and classified as a crime, irrespective of whether it occurs within a family, and is punished accordingly; sentences are harsher still if aggravated by dependency or kinship. At present, the trend is to increase the penalties when these crimes are committed.

On 17 May this year (1999), Act No. 27115 was promulgated, setting forth criminal procedures in cases of crimes against sexual freedom. This important statute provides that, from 18 May onward, any person having knowledge of a violation may report it, and the prosecutor is required to investigate. It changed the earlier system under which only the victim of a violation could report it. However, three provisions were adopted to protect the victim, namely: (a) the process is restricted, with the identity of the victim kept confidential under the responsibility of the official or magistrate hearing the complaint; (b) the statutory medical examination is conducted with the prior consent of the victim and exclusively by the attending physician assisted by another professional; and (c) the probative proceedings take place with due allowance for the physical and emotional state of the victim. This act protects and favours the victims of sexual violation (see Article 2 of the Fifth report for more details of the TUO of Act No. 26260).

Status of compliance with the Convention on the Elimination of All Forms of Discrimination against Women from July 1998 to July 1999

Definition of the term discrimination

Article 1

General situation regarding the term "discrimination against women"

1. Although the government has been endeavouring for many years to overcome all discrimination against women, some attitudes still subsist that are resistant to progress. Educators and family members play a key role in moulding attitudes, which is why education policy at the different levels and modes of Peru's education system has built family and sexuality issues into the curricula within a framework of values and gender equity built on attitudes that reject all forms of social and gender discrimination, including the mistreatment of women.

2. In keeping with this policy, the Peruvian Government has instituted a number of institutional and legal mechanisms that afford women as a whole equal access to socio-economic opportunities to overcome the disparity in powers that exists between men and women.

3. In terms of legislation, the Peruvian Government has enacted a series of legislative measures designed to promote the participation of Peruvian women, as well as others that have permitted equitable participation by women.

These mechanisms and rules are described in detail in the articles that follow, which are arranged by area of implementation.

Legal measures against discrimination

Article 2

General situation

4. The last four years have witnessed an interesting process of formulating and adopting a large number of laws to deal with a series of problems affecting Peruvian women and to provide them with legal instruments to promote more equitable participation in the country's development.

5. One of the government's most important initiatives was to create the Ministry for the Advancement of Women and Human Development (PROMUDEH) in October 1996. The objective of this ministry is to promote the development of Peruvian women and families. Its functions include overseeing compliance with the treaties and action platforms that Peru has signed in the areas of advancement of women and human development. The vision of this new ministry is to bring about a major cultural change whereby women and men share the same opportunities and control their own destinies in an environment of peace, democracy and solidarity.

Legal measures to change discriminatory practices against women and legal protection in the competent courts

6. In Chapter II: Concerning Treaties of Peru's 1993 Political Constitution, Article 55 provides that: "Treaties signed by the State and in force are part of national law." The Convention on the Elimination of All Forms of Discrimination against Women was ratified by our country in September 1982. In accordance with the provisions of our domestic legislation, this Convention is deemed incorporated into the body of our domestic law.

7. Article 2(2) of the same constitution embodies the principle of equality before the law and provides that "No one may be discriminated against on account of origin, race, gender, language, religion, opinion, economic condition or any other condition. It should be pointed out that the provisions of the new constitution have removed any trace of discrimination against women.

8. In addition to the Ministry for the Advancement of Women and Human Development, in 1996 other mechanisms for the protection of women were created, such as Office of the Public Defender Specializing in Women's Rights within the Public Defender's Office.

9. This office is conducting an investigation to identify criteria that discriminate against women in the legal settlement of disputes, based on gender analysis of jurisprudence in the different branches of law. The rulings being analyzed were handed down in Lima, Cuzco, Pucallpa, Lambayeque, Piura, Huancayo, Iquitos, Arequipa, Trujillo, Chimbote, Tacna, Puno and Cajamarca. The investigation is being carried out by university professors and non-governmental organizations with established track records in the defence of women's rights.

10. Moreover, in the Congress of the Republic, the Commission on Women and Human Development was created in 1997 to scrutinize legislation in the area of women's rights and to propose the repeal of statutes that may be harming the interests of women.

11. This Commission has held 26 ordinary and 3 decentralized sessions (in Huancayo, Huaraz and Trujillo), all devoted to legislation in favour of women. It also held 6 public hearings, 3 decentralized hearings, 1 conference on Parliamentary Labour and the Issue of Gender Analysis, 4 roundtables, and the International Technical Workshop on Domestic Violence, in order to publicize the importance of enacting laws in favour of women and give it prominence throughout the country.

12. Within the organizational structure of the Ministry of Industry, Tourism, Integration and International Trade Negotiations is the National Institute to Safeguard Competition and Protect Intellectual Property — INDECOPI. In April 1998, this institute launched a campaign to combat discrimination in consumption, prompted by a series of complaints filed by women who had been denied access to various establishments open to the public because of their physical condition, gender, or socio-economic or cultural status.

13. The campaign aroused the interest and support not only of different organizations but also of civil society in general. As a result of this campaign, the Congress of the Republic of Peru approved, on 28 December 1998, Act No. 27049 spelling out INDECOPI's authority to hear and impose penalties in respect of cases of consumer discrimination, acting through the Consumer Protection Commission.

14. This act, No. 27049 — "*Act stipulating the right of citizens not to be discriminated against in matters of consumption*" — is viewed as a form of legal recourse against discrimination. Although it makes no specific reference to the issue of discrimination against women, it does prohibit consumer discrimination based on, among other things, gender, which affords a clear insight into the meaning of the statute, and sets out the relevant penalties. This statute allows claims of discrimination against women to be filed. A case in point is the complaint filed by a Peruvian non-governmental organization with INDECOPI's Commission for the Suppression of Unfair Competition and Publicity on discrimination against women through the display of their pictures in commercial advertising.

15. INDECOPI is developing its working approach under the umbrella of respect for the fundamental rights of persons. Article 3 of the *Act on Advertising Rules for Consumer Protection* approved by Legislative Decree No. 691 provides: "Advertisements shall respect the Constitution and the Laws. No advertisement shall promote or stimulate any kind of racial, gender, social, political or religious offence or discrimination. Advertisements shall not contain anything that might lead to antisocial, criminal or illegal activities or that appears to support, extol or stimulate such activities."

16. Another important issue to be noted has been the treatment accorded to pregnant adolescents in our midst. To eliminate the discriminatory practices to which they used to be subject, it was provided, through Act No. 26941 amending Article 14 of the Code of Children and Adolescents of April 1998, that children or adolescents who are pregnant or have given birth should not be prevented from beginning or continuing their studies; this right is to be guaranteed by the authority of the educational establishment, which shall take whatever steps are needed to avoid their being the object of any discrimination.

17. At PROMUDEH's initiative, a Multisectoral Committee was formed in May 1999 both to draft the fifth national CEDAW report and to serve as a mechanism for monitoring the provisions of this international instrument. This committee has successfully established linkages among the various sectors of government, such as Health, Justice, Foreign Relations, Education, Energy and Mining, Transportation and Communications, Housing, Construction, Tourism, Integration, Industry, Judiciary, Attorney General's Office, Legislature, Public Defender's Office, and others.

Progress in combating domestic violence — Implementation of the Single Uniform Text of Act No. 26260 — Act on Protection against Domestic Violence

Background and legislative progress

18. In public recognition of the fact that domestic violence is a social problem that undermines the development and advancement of women, making it a serious violation of basic human rights, and in order to carry out programmes to eradicate it, Act No. 26260 — "An Act establishing the policy of the State and Society on Domestic Violence" — was promulgated in December 1993.

19. After the domestic violence act had been on the books for a few years, it was found necessary to institute mechanisms to ensure greater protection for victims, as

well as speedier processing, which led to the following amendments to this statute in March 1997 through Act No. 26763:

- Incorporation of psychological mistreatment as a form of domestic violence, which is important because it constitutes one of the more common but least visible forms of abuse;
- Inclusion of new parties as victims of domestic violence based on the degrees of relationship between the persons interacting in the household in question, for example, former spouses or former common-law spouses.
- The requirement that all police stations accept complaints of domestic abuse and authority for police to remove the aggressor willingly or forcibly.
- Free care in respect of the medical examinations required by the police, the General Attorney's Office or the Judiciary.
- Authority for the Public Prosecutor to order measures for immediate protection if he perceives a serious risk to be present.
- Option for victims of aggression not to attend Conciliation Hearings if they are afraid or do not wish to participate.

20. Subsequently, the two acts were combined into a single text and in June 1997 the Single Uniform Text of Act No. 26260 was approved by Supreme Decree 006-97-JUS. In February 1998, its regulations were also approved by S.D. 004-98-JUS in order to spell out more appropriately the powers and duties of the law enforcement officials involved in the process, namely the national police, the General Attorney's Office, and the Judiciary.

21. To improve the legal order further, Act No. 26788 of 16 May 1997 was enacted to amend Chapter III of Title I of the Penal Code by incorporating as an aggravating circumstance, the existence of a family relationship between the aggressor and the victim, in terms of the penalties applicable to crimes involving serious or light injuries or offences against the person.

22. It is important to point out that, through Act No. 26842 — "General Health Act" — of 15 July 1997, the health sector recognized domestic violence as a mental health problem when it stated everyone has a right to recuperation and rehabilitation, with responsibility for the latter resting primarily with the family and the State.

23. Furthermore, on 2 December 1998, Act No. 27007 was enacted, authorizing the Public Defenders' Offices for Children and Adolescents to conduct, without charge, binding out-of-court conciliations, provided that they involve rights falling within their purview. It also allows the Family Prosecutor to conduct conciliations in the area of domestic violence.

24. Similarly, on 19 December 1998, Act No. 27016 was enacted; this lists various private health establishments authorized to issue medical certificates with probative value on the state of physical and mental health, for use in domestic violence proceedings.

25. In April 1999 the Congress of the Republic approved Act No. 27115 setting out Public Criminal Actions for Crimes against Sexual Freedom. This act amended Article 178 of the Criminal Code and Articles 301 and 302 of the Code of Criminal

Procedure. It establishes new procedures for crimes against sexual freedom, prescribing that: for purposes of the act, the preliminary investigation, arraignment, and court proceeding for crimes against sexual freedom shall be restricted, with the identity of the victim protected under the responsibility of the official or magistrate hearing the case.

26. It further provides that the legal physical examination shall be carried out, with the prior consent of the victim, exclusively by the attending physician with the assistance of another professional and that other persons may be present with the prior consent of the victim.

27. The same act prescribes that representatives of the Attorney General's Office and magistrates from the Judiciary shall take whatever measures are needed to ensure that proceedings are conducted with due allowance for the physical and emotional condition of the victim.

28. Efforts made to publicize domestic violence have included campaigns organized to promote "Non-violence against women," designed to disseminate the rights and duties of women in grass-roots social organizations in settlements in and around Lima; they are estimated to have reached 5,000 persons.

Training

29. In coordination with the Ministry of the Interior, the Ministry for the Advancement of Women and Human Development (PROMUDEH), international technical cooperation and NGOs prepared several training programmes for officers and deputies in the national police force who are involved in preventing and treating domestic violence cases, in order to improve the quality of service that they offer. In 1997, training was provided for a total of 480 police staff, while in 1998 the training effort devoted to this group focused on police officers from different districts in Lima. In the current year, through the Women and Citizenship Project, two training courses have been organized for this group, with some 200 police staff attending.

30. With Unesco support, the Ministry of Justice conducted a programme "Comprehensive Human Rights Training for Women from Marginal Sectors of Peru", whose primary goal is to provide opportunities for all-round development through training and sensitization to basic human rights, targeted at women from the marginal sectors in the districts of El Agustino, Comas and Villa El Salvador. This project successfully trained 150 women from areas of extreme poverty.

31. In the period 1998-1999, the National Human Rights Council of the Ministry of Justice held 5 one-day seminars on human rights for such civil authorities as mayors, policemen, military personnel, and a variety of community leaders involved in law enforcement operations; they were attended by some 6,000 persons. Also included were training activities for men and women in the area of domestic violence.

32. It is noted that the National Human Rights Council of the Ministry of Justice, in coordination with the Ministry of Health (MINSA), is holding workshop courses on human rights intended for personnel of the Lima Maternity Clinic and the Bartolomé Herrera Mother-and-Child Institute (doctors, nurses, ajdes), the object being to help those involved in patient care to be more aware of human rights.

33. Still on health issues, it is worth highlighting that efforts have been made through PROMUDEH to train health promoters in areas of metropolitan Lima and the departments of Ayacucho and Huancavelica, with a view to spreading the word on human rights. The prevention of domestic violence has also been built into the training of these health promoters. As a result, there are now 480 health promoters trained on issues of domestic violence prevention and 4,800 persons who have been assisted by the trained promoters. Intersectoral care is also being provided for women and children victims of violence. Through the project "Warmi Wasi Houses for the Advancement of Women, by agreement with USAID-PROMUDEH, there are now 90 promoters trained in comprehensive health, sexual reproductive health, and domestic violence, as well as three houses set up as information, training and consensus-building centres. This project is being carried out in the department of Lambayeque and Cajamarca.

34. Work has also been done with the community promoters on the subject of leadership; district gatherings have been held, and women leaders have been asked to suggest solutions to problems commonly found in the various districts of metropolitan Lima and in departments prioritized by PROMUDEH's PAR programme. Another important programme being run out of the same body is the "Women's Legal Assistance Groups" project, which seeks to have women from low-income groups serve as a point of liaison between their townships and the institutions. Work is currently under way in the districts of San Juan de Lurigancho and Villa Maria del Triunfo, and has so far reached about 160 people, some of them women and others local officials.

35. Through the Women, Health and Development Programme in the health sector training workshops on gender and violence are being conducted, together with sensitization and knowledge-sharing sessions on violence against women; facilitators have been successfully trained on the subject of "approaching domestic violence from a health perspective".

36. With respect to domestic violence, the Ministry of Health is conducting training modules for health sector personnel to improve the care provided for those who have been exposed, by organizing care arrangements in health establishments.

37. The staff of the Defender's Office Specializing in Women's Rights within the Office of Public Defender have run different training courses and workshops for law enforcement officers, to elaborate on the functions of the police within the framework of the domestic violence act. Training has been provided to more than 600 officers in the metropolitan police force in the centre and north of the districts of El Agustino, San Luis, La Victoria, Callao, Yerbateros, Alipio Ponce, San Juan de Miraflores, and San Juan de Lurigancho.

Mechanisms for providing services

38. The system whereby the Ministry of Justice provides legal consulting services to the people has been strengthened through agreements with international cooperation agencies; the nationwide legal aid offices provide free legal advice to low-income residents. There are 8 such offices in the provinces and 15 in Lima. The offices also organize legal advice campaigns staffed by highly qualified professionals who offer a variety of legal advisory services that are instrumental in keeping a record of the domestic violence cases submitted.

39. Within the Judiciary, as far as court proceedings involving domestic violence are concerned, two courts of guardianship have been set up in the court district of Lima, bringing all cases heard in Lima province under one roof and at the same time monitoring each of them in a timely fashion. In the family courts, separating jurisdictions by either issue or specialty has helped to raise the quality of the service, as evidenced by the rulings being handed down in this area. Administrative Resolution No. 680-CME-PJ of 6 August 1998 authorized courts administered by justices of the peace to hear cases involving domestic violence.

40. Simultaneously, in 1998, the family courts with jurisdiction over guardianship and criminal matters organized a visitation programme to get closer to the community through the District Councils of the Northern and Southern Cone, so as to publicize and discuss the implementation of the domestic violence act with children who have been abandoned; this programme is being extended this year (1999) to districts in the eastern cone and the constitutional province of Callao. Coordination meetings were also held between the family court magistrates specializing in criminal and guardianship cases and their counterparts from the prosecution side, the defenders of children and adolescents — DEMUNAS — and the operational managers of juvenile centres in the Judiciary, who are responsible for the closed and open centres for delinquent adolescents.

41. One of the key actions taken in the area of domestic violence was to make it compulsory for each of the 150 existing commissioners' offices coming under the jurisdiction of the 7th Region of the national police to install a unit to investigate domestic violence. In addition, 2 commissioners' offices for women have been created in the districts of Lima and Callao.

42. The department of Lima boasts a registration system for domestic abuse complaints that has made it possible to see at a glance the magnitude of this problem and to broaden the coverage of services. We can thus show that in 1998 metropolitan Lima recorded 27,935 complaints of domestic violence, of which 21,534 were for physical violence and 6,401 for psychological violence.

Metropolitan Lima: Complaints of violence against women

1996	8,192
1997	24,576
1998	27,935

Source: Peruvian National Police (PNP)

43. One successful experiment in responding to domestic violence has been the introduction of the "Women's Emergency", A Module for a Comprehensive Approach to Domestic Violence. This module is the outgrowth of a joint effort by different sectors of government. It was created on 8 March 1999 under the multisectoral agreement signed by the ministries of Justice, Interior, Health, the General Attorney's office, and PROMUDEH, for the purpose of providing specialized legal and medical services to women and children who had suffered domestic violence; it assures them of access to justice in a responsive, timely and efficient manner, saving them time and money. This project brings together in a single facility the services of the Commissioner's Office for Women, Legal Advice, Legal Medicine, Psychological Counselling, Prosecutor's Office for Families,

Psychological Guidance, Social Services, Conciliation, emergency hot-line, and a day-care service for the children. The module provides a victim with access to all these services in a single day. Through September 1999 the module has been used to assist 7,000 persons. There are now 8 properly equipped modules both in the department of Lima and in other departments, namely the greater Lima district, San Juan de Miraflores, Piura, Iquitos, Trujillo, Cuzco, Sicuani, and Jauja.

44. Another mechanism spearheaded by PROMUDEH is the creation of community agencies that assist and support victims of violence under conditions of safety and confidentiality. 1,132 Offices of Defenders of Children and Adolescents have been organized in this way; their goal is to safeguard the rights vouchsafed by the specialized legislation through guidance, information and assistance services in cases of child violence and abuse from third parties or family members. These offices may be set up in local governments and public or private institutions, such as municipalities, schools, parishes, NGOs, and grass-roots organizations. The latter represent a meaningful community effort in that the effort to prevent and deal with domestic and sexual violence takes place in the actual locality involved. These defenders' offices have so far handled 67,526 cases.

Introducing the approach to gender

45. In the field of education, the issues of domestic violence, child mistreatment, and sexual abuse have been introduced through the Violence Prevention Programme, the Parenting School, and the National Sex Education Programme. Since 1995, the Ministry of Education has reintroduced into the education system materials dealing with gender, with special emphasis on family and sex education.

46. At the national level, the health sector is gradually building a gender-based approach to all its programmes and projects in order to cater better to its female pupils.

Other mechanisms

47. Moreover, in September 1998, PROMUDEH, acting on Supreme Resolution No. 074-98-PROMUDEH, set up a temporary multisectoral body made up of representatives from both public and private entities and called GRUPFAM, or Advocacy Group for Households Free of Domestic Violence; its primary mission was to centralize efforts to evaluate the results of implementing and publicizing the domestic violence prevention act and its regulations, as well as the achievements of the actions carried out as part of the affirmation of family values.

48. Since 1997, PROMUDEH has been participating in the National Multisectoral Roundtable for Dealing with and Preventing Domestic Violence; the aim of this group is to develop actions designed to eradicate domestic violence, as advocated in the paper on the model for responding to domestic violence and in the five-year plan of action officially presented in October 1998, with support from the Pan-American Health Organization/WHO, the United Nations Population Fund, and UNICEF. One of the principal outcomes has been signature of the Intersectoral Commitment on joint efforts to devise actions aimed at promoting healthy lifestyles within the family and the community, as well as to respond to and prevent domestic violence with a view to reducing its incidence. The group is made up, among others, of the Education, Health, Justice, and Interior ministries and the Attorney General's Office.

Mechanisms for the advancement of women and the protection of their human rights

Article 3

General situation

49. It is the standing policy of the State to combat all forms of discrimination against women. In terms of the full enjoyment and exercise of their human rights, the Peruvian Government has achieved considerable progress in protecting women. To this end, it has been strengthening education, health and production standards, while championing the establishment of effective legal processes for the victims of discrimination.

50. The interest in gender equity and the State's consideration of public policies toward gender issues has been an increasingly high priority in the past decade for the government's highest-ranking authorities, especially following the national preparations for the Cairo and Beijing conferences.

Institutional mechanisms for the advancement of women

51. One of the most important mechanisms created to facilitate the advancement of women is the Ministry for the Advancement of Women and Human Development, established by Legislative Decree No. 866 (amended by Legislative Decree No. 893) of October 1996. It constitutes a top-ranking institutional body on women's issues; its mission is to play a lead role in formulating and developing programmes to promote equality of opportunities for women and the sectors in need of priority attention in terms of human development.

52. Moreover, since 1996 other mechanisms for protecting women have been created, such as the Public Defender's Office Specializing in Women's Rights within the Public Defender's Office. This institution defends the constitutional and basic rights of the person and the community and supervises the performance of its duties by the public administration and its services.

53. The powers of the Public Defender's Office Specializing in Women's Rights allow it to make it easier for the bodies protecting the rights of women to operate effectively, one of its priorities being to avoid discrimination. It is also instrumental in ensuring that State institutions and public services abide by and comply with the provisions of the constitution and legislation in the area of women's rights.

54. Moreover, the Commission on Women and Human Development was formed in the Congress in 1997 to serve as a watchdog on statutes involving women's rights and to propose repeals of any provisions that might be harming women's interests.

55. In the same area, given the priority attached to promoting equity and equality between the sexes and the rights of women, S.D. No. 055-97-PCM was enacted on 2 November 1997 to set up the National Commission for Coordination of Family Planning and Reproductive Health Policies — COORDIPLAN — whose functions included the evaluation, coordination, monitoring, promotion and dissemination of actions carried out in the area of family planning and reproductive health. Subsequently, pursuant to Article 2 of S.D. No. 011-98-PROMUDEH of 29 September 1998, it was renamed the National Coordinating Commission for the 1998-2002 National Population Plan and given the additional responsibility of

coordinating this national plan. The Commission has been recognized for its ongoing work in the areas of information and education, participation by couples in the home care of the mother prior to childbirth, and access to prenatal checkups and checkups during delivery and the puerperium, prevention of unwanted pregnancies, and promotion of gender equity. In this effort, it is joined fully by the Ministry for the Advancement of Women and Human Development, Health, and others.

Progress in the status of women and in gender equity

56. The Ministry for the Advancement of Women and Human Development — PROMUDEH — is currently engaged in reformulating the National Equal Opportunity Plan for women for the period 2000-2005. This plan analyzes priority topics for the problems that affect women and strategies for involving women more in development and getting them to participate effectively in society, where concerted action is being taken by government bodies at the national, regional and local level, as well as by the private sector, women's organizations, and civil organizations involved in programmes and projects aimed at improving the situation of women in Peru.

57. Since mid-1998, the Ministry for the Advancement of Women and Human Development and its decentralized agencies have been carrying out training and monitoring programmes to promote the incorporation of a gender approach into programmes, projects and activities. An agreement has been signed with a development NGO — and support has been enlisted from the Dutch technical cooperation agency — to train the officials involved in preparing social plans and programs to build a gender-based approach into them. To date, 46 workshops have been held for the staff and their decentralized agencies at the national level, benefiting 4,800 employees.

58. To sensitize the population to discrimination against women, PROMUDEH has been developing systematic actions aimed at publicizing the rights of women and their participation in the socio- political and economic activities around them. It has accordingly organized demonstration workshops on gender relationships with the population at large, and especially with women leaders, and has reached out to 1,500 leaders and grass-roots promoters of social organizations.

59. Since May 1999, to publicize the rights of women on a continuous and ongoing basis, PROMUDEH has organized "Wednesday chats" — open forums in which every Wednesday women from marginal urban, rural and other areas can discuss topics related to women's rights; they reach a public of 200 persons each week and have a multiplier effect. So far, 10 chats have been organized, reaching some 2,000 people directly and 10,000 indirectly.

(The issues of access to employment and education are discussed in Articles 10 and 11.)

Temporary measures on equality between men and women

Article 4

General situation

60. The participation of women in Peru's society is growing daily. Their commitment to the development of political organizations and their active participation in the various branches of government are facts of daily life have now become irreversible.

61. In this respect, to promote greater female participation in the political life of the country and in response to the opinion of women themselves, two statutes of paramount importance have been passed: the Organic Elections Act (Act No. 26859), published on 1 October 1997, Article 116 of which provides that all slates of candidates for Congress must contain no fewer than 25 per cent men or women.

62. In similar vein, Article 10(2) of the Municipal Elections Act, No. 26864, published on 14 October 1997, provides that the slate of candidates must be presented in a single document and must contain the consecutive number indicating the candidates for Councilpersons on the list and be made up of no fewer than 25 per cent men or women. If these requirements are not met, the lists will not be considered.

63. Between the elections held in 1995 and those in 1999 the participation of women in the political arena has increased substantially (for details see Article 7).

64. Although it represents a breakthrough measure, in order to made this temporary measure more effective in attaining equal access for women in decision-making, an amendment to this legislation was proposed in Bill No. 4524-98, in which the intention is to amend Article 116 of Act No. 26864 on the listing of candidates such that the position of men and women will alternate starting with whatever candidate heads the list.

65. On a related matter, Congress is currently debating Bill No. 5005 submitted on 13 August 1999 by the working commission on a minimum percentage of 30, in the case of women occupying positions in the public administration.

Special measures aimed at safeguarding maternity

66. Although there is no temporary legislation on maternity, since the goal of Peru's population policy is to disseminate and promote responsible parenthood, a series of measures to protect pregnant women have been introduced that are not temporary in nature but have the status of permanent statutes.

67. For example, on 25 June 1996 Act No. 26644 — Right to prenatal and postnatal rest for pregnant workers — was passed. This act states that it is the right of working women to have 45 days off before and after delivery. This leave may be deferred in whole or in part and combined with the postnatal leave, at the option of the worker, who must notify her employer at least 2 months in advance of her likely delivery and attach a medical report certifying that postponement of the prenatal leave will not affect either her or the child she is carrying.

68. With respect to the rights of pregnant mothers, Article 29 of Supreme Decree No. 002-97-TR, approving the Single Uniform Text of Legislative Decree

No. 728 — the Labour Competitiveness Act (now amended) — stated that any dismissal on the grounds of pregnancy was null and void where such dismissal occurred within ninety days before or after childbirth. As of 19 October 1999, with the promulgation of Act No. 27185, this provision has now been amended to treat as void any dismissal on the grounds of pregnancy where such dismissal occurs at any time or within 90 days following childbirth. As will be appreciated, this act amends Article 29 of the Single Uniform Text of Legislative Decree 728, the Labour Productivity and Competitiveness Act.

Legal statute	
Leg. Dec. 728:	Nullifying dismissal 90 days before and 90 days after childbirth (1997)
Act No. 27185:	Nullifying dismissal at any time or 90 days after childbirth (1999)

69. In the area of remuneration for time served, Supreme Decree No. 001-97-TR, approving the Single Uniform Text of the Compensation for Time Served Act, provides that as an exception the prenatal and postnatal leave days can be counted for purposes of calculating remuneration for time served.

70. On the subject of adolescent mothers, Article 2 of the Code of Children and Adolescents regarding the care of the mother provides that it is the responsibility of the State to guarantee that suitable conditions are established for their care during pregnancy, childbirth and the postnatal period, with specialized care provided for adolescent mothers, guaranteed opportunities for breastfeeding, and the establishment of day-care centres.

Elimination of cultural and sexist patterns

Article 5

General situation

71. Many socio-cultural and sexist patterns have been woven into Peruvian society, to the detriment of women. In this connection, the culture embodies beliefs, myths and prejudices, arising out of a socially created conception of man and woman, that have caused a series of obstacles to achieving advancement for women in all spheres and stages of their lives.

72. The Peruvian Government has been making great efforts to eliminate the myths, beliefs, prejudices, and traditional, customary, discriminatory practices in order to promote a change in mindset that will pave the way for a new culture in which the expectations, values and functions of men and women are not conditional upon or predetermined by gender stereotypes.

73. It similarly recognizes the paramount role of education in changing cultural mindsets and stereotypes that discriminate against women and has accordingly changed educational curricula at all levels and built a number of national-level education centres to avert discrimination among children in access to education. At

the same time, gender equity training is being provided for incorporation into all national plans, policies and projects.

Measures adopted

74. One of the commonest signs of discrimination against women was that the terminology used in referring to both men and women was standardized on the masculine form. To respect the female forms, Act No. 24310 was passed on 19 September 1985, providing that every honour, academic degree, professional title, office, public function, position, job or other occupational or labour-related activity should be expressed in its female form when it applied to women. This is another way to avoid and break away from the terminological stereotyping that occurs when the masculine form of titles and positions is used even when they refer to women.

75. Peru has a 1998-2002 National Population Plan, the objectives of which are: to contribute to improvements in the sexual and reproductive health of the country's women and men; to contribute to greater equity between the sexes in health care and promote mutual respect in the relationships between couples; to emphasize, among adolescents and young people, actions designed to provide sex education and promote healthy lifestyles; and to guarantee men and women the right to decide, freely and in an informed manner, on the number and spacing of their children. This is carried out for the most part through the Reproductive Health Programme of the Ministry of Health and the National Sex Education Programme of the Ministry of Education. As is evident, the objectives of this plan area to promote gender equity and women's rights. The implementation of the plan is discussed under the topic: Women and Health.

76. Through the National Sex Education Programme the gender approach is being introduced at various points into the educational curriculum. The broad aim is to "Contribute toward the all-round formation of pupils so that they can, freely and in keeping with their socio-cultural situation, take responsible and salutary decisions for their personal, family and social wellbeing within a framework of gender equity, citizenship and democracy." This programme incorporates sex education elements into the curriculum at all levels and in all forms of the education system that demythicize the traditional socio-cultural roles and stereotypes which discriminate against women; promote the rights of children, young people and women, self-esteem, assertiveness and decision-making; and include the topic of responsible parenthood, with discussions on the social function of motherhood and the shared responsibility of man and woman in the education and development of their children.

77. Each year, at the start of the school year, teachers of both sexes are given instruction in gender equity, sex roles and stereotypes, empowerment of women, sexual abuse and domestic violence; to date, 27,246 teachers have received this training. At the same time, the Ministry of Education is drafting non-sexist educational materials (family and sex education guides, flipcharts, and exercise books) for teachers and pupils of both sexes.

78. Since the founding of the Parenting School Programme in 1997, encouragement has been given to the practice of social values and skills that will improve family dynamics, communications, respect, gender equity, the education and wellbeing of children, and the development of women in their personal, family and social actualization, by bringing about improvements in family and

interpersonal relations, reinforcing a change in attitudes in terms of respect for and recognition of women and girls, and raising awareness of issues involving domestic violence.

79. Moreover, the Peruvian National Police, through the Citizen Participation Offices attached to police stations and through the neighbourhood boards, is recommending actions to avert discrimination against women, the thrust of which is to afford them the same opportunities as men, since these offices are disseminating the concept that both men and women have equal rights.

80. During 1998, the Office of the Public Defender Specializing in Women's Rights within the Public Defender's Office held four gender-training workshops for personnel in the defence offices at Ayacucho, Piura, Arequipa and Trujillo. In 1999, four workshops were organized for staff of the defence offices in Lima, with the goal of incorporating the gender perspective into the work done by each of these offices, with particular emphasis on complaints of women's rights violations.

81. In August 1999, the same agency held an international seminar on "Current Administration of Justice Problems involving Sexual Offences" attended by 400 people. The topic of the seminar was chosen because court rulings on offences against sexual freedom are a strong reflection of sexist opinions. There are problems of not only interpreting but also assessing evidence, since statements by victims and the findings of physicians are often the only sources of information judges have to rely on. The seminar was targeted to members of the Judiciary, the Attorney General's Office, and the community at large.

82. In the area of labour practices, a number of discriminatory job advertisements has been found calling for a particular characteristic in terms of sex, physical attributes, or age, which had the effect of disqualifying many women from access to employment; accordingly, in April 1997, Act No. 26772 was enacted, making it illegal in offers of employment or educational training to discriminate, void or modify equality of opportunities or treatment on the grounds of gender, race or any other, with offences to be punished by the Ministry of Labour and Social Advancement. This act is a tool for combating discrimination against women in employment (for greater detail see Article 11).

Women and prostitution

Article 6

General situation

83. Under our criminal legislation, prostitution is not classified as an offence for persons who engage in it. As pointed out in the third and fourth reports, Article 179 of the Peruvian Penal Code, in the Title on Crimes Against Freedom, provides: "Any person promoting or favouring the prostitution of another shall be sentenced to a prison term of not less than 2 nor more than 5 years."

84. It can be seen from the review that the offence punishable under our criminal legislation is pimping. For this reason, national institutions have embarked on nationwide efforts involving preventive education, the promotion of self-esteem, and greater respect for women. Given the complexity of the issues surrounding prostitution, as well as the problems in compiling verifiable data on the situation of

the women who ply this trade, the National Institute of Statistics and Information Science (INEI) is coordinating the basic groundwork for a nationwide survey involving various organizations interested in this issue, to obtain full and up-to-date information on the situation of sex workers, the institutions that come into play, and the socio-economic and cultural environment in which they operate.

85. Health check-ups and controls for prostitutes are subject to municipal standards and come under the jurisdiction of the local governments where they perform this activity; accordingly, the regulations are issued by the local governments in the form of local ordinances.

86. Through the Programme for Controlling Sexually Transmitted Diseases — STDs, AIDS — based on the ENDES Survey, the Ministry of Health estimates that in Peru there are approximately 60,000 sex workers. The prevalence of sexually transmitted diseases (STDs, AIDS) and other diseases among prostitutes is estimated at 0.5 per cent (1.6 per cent in Lima and 0.6 per cent in the provinces), while the provisional estimates for syphilis are 8.7 per cent for Lima and 11.4 per cent for the provinces.

87. Article 8 of the regulations of Act No. 26626, referring to achievement of the goals of the National Anti-AIDS Plan approved by Supreme Decree No. 004-97-SA of 19 June 1996, provides that: "The Ministry of Health shall be the only institution authorized to set the health intervention guidelines for the periodic care and the prevention of STDs/HIV in members of groups with a high incidence of STDs. No administrative, police, municipal or political authority shall have the functional authority to take any action in this area."

88. In the period from 1997 to 1998, the police nationwide recorded a total of 1,200 cases involving the prostitution of girls, the heaviest incidence in the provinces occurring in the city of Huánaco, with 273 cases, and within Lima in the constitutional province of Callao, with 209 cases.

89. There are no statistical data to show the true number of sex workers because as a group they have such unusual characteristics, such as the migratory, clandestine and at times occasional nature of their occupation. In coordination with the Municipal Directorate of Oversight and Control, the civic security services of the local governments, and the Special Prosecutors for Crime Prevention (in the areas of service to the community, public morals, minors, alcoholism, and drugs), the Municipal Directorates of Health and Welfare have held interventions at inns, discotheques and locations close to these high-risk areas; during the current year, within the jurisdiction of Lima, assistance was provided at a variety of sessions to 364 sex workers, who were given guidance, counselling in STD/HIV/AIDS prevention, and referrals to the Referral Centres operating within the Ministry of Health.

Preventive counselling sessions conducted by the Municipality of Lima:

1998	1,262 counselling sessions
1999	1,441 (from January through September)

Information and awareness-raising campaigns held in Metropolitan Lima on STDs and the risks of sex work:

1998 8,682 persons briefed and sensitized

1999 1,441 persons briefed and sensitized

Work undertaken with young promoters, who are trained to provide information to adolescents in both a didactic and a participatory manner:

1999 30 young promoters working with their peers

The Peruvian Government is stepping up the national budget for eradicating poverty, while at the same time working on the design of several strategies to incorporate women, especially those who find themselves at risk, into the labour market, so as to help them earn enough to escape from the world of prostitution (Article 13).

90. Within the jurisdiction of Lima there are some 3,000 call girls who offer their services in more than 200 hotels in the historic centre, a fact acknowledged by the municipality of Lima itself. The concern is that in Lima there are under-age girls working as prostitutes, many of whom are infected with AIDS or HIV-positive. This has prompted the Ministry of Health to conduct a number of nationwide informational and awareness-raising campaigns through the PROCETSS Project.

91. In the greater Lima area, out of a sample of 7,500 prostitutes of legal age, 1,400 were infected with HIV and more than 2,000 with other sexually transmitted diseases, with 54.6 per cent of all the women testing positive for STDs/HIV/AIDS. Moreover, the incidence of infection for under-age prostitutes is 32.3 per cent.

Lima: Prostitutes with STDs, by broad age group

Age group	*Sample size*	*HIV*	*Other STDs*	*Total*
Adults	7 500	1 400	2 700	54.5%
Under-age	674	45	173	32.3%

HIV+/infected with AIDS; STDs = other sexually transmitted diseases
Source: PROCETTSS — Ministry of Health. Up to September 1999.

92. In Lima, most of the underage women engaging in prostitution are found in the most heavily populated and least safe areas; the Municipality of Lima is therefore conducting campaigns to eradicate street prostitution through the counselling offices for prevention and awareness-raising, emphasizing the dangers of engaging in this activity and the risks of contracting STDs.

Lima: Prostitution among under-age women, by place of activity, 1999

Place of activity	*%*
La Victoria (terminus)	34
Greater Lima area	27
Callao	19
San Juan de Miraflores	9
Other districts	14

Source: PROCETTSS — Ministry of Health. Up to September 1999.

Child prostitution in the provinces

Province	*Number*	*HIV+*	*Other STDs*
Piura	170	37	74
Ucayali	154	30	65
San Martín	137	27	56
Loreto	98	19	41
Tumbes	96	18	39
Ayacucho	86	14	32
Lambayeque	79	12	27
Others*	359	82	170

HIV+/infected with AIDS;
STDs = other sexually transmitted diseases
* Does not include the city of Lima.
Source: PROCETTSS — Ministry of Health. Up to September 1999.

93. Apart from Lima, there are other provinces that have many under-age prostitutes, cases in point being Piura, Ucayali and San Martín.

94. In addition, in the area of preventive measures, the Ministry of Health's Programme to Control Sexually Transmitted Diseases and AIDS (PROCETTS) has produced 130 female Peer Education Promoters (PEPs) among sex workers and 217 male PEPs among men who have sex with other men. By and large, these persons, who patronize the health services and have high STD rates, are co-opted by the same peer education promoters who were trained in Lima and Callao, as well as in the provinces.

Legislation and regulations on prostitutes and pimping

95. As mentioned earlier, in Peru's national legislation pimping is classified as a crime under the 1991 Criminal Code. It is up to the local governments to control street prostitution, and they accordingly are authorized to issue rules and regulations governing houses of assignation or prostitution. For this purpose, there are municipal ordinances, which have force of law.

96. Persons who work as prostitutes or act as escorts at dances and nightclubs, cabarets and the like, pursuant to Municipal Ordinance 082 of the Municipality of Lima, dated 26 May 1996, must hold a "health card" and their periodic epidemiological, serological, and TB "check-up certificates" issued by the local health authority for fortnightly, quarterly and semiannual periods, respectively.

97. Edict 178-93 of the Municipality of Lima makes it an offence to practice clandestine prostitution in establishments that serve alcoholic beverages.

Complaints recorded by the Public Prosecutor's Office

98. According to the Computer Support System for Investigative Work (SIATF), in 1998 73 complaints for pimping were filed with the Public Prosecutor's Office, 11 of which involved minors; of the total complaints, 67 resulted in sentences and were turned over to the Judiciary.

99. From January to the end of May 1999, 21 complaints were filed with the Public Prosecutor's Office, of which 3 related to minors; 19 of the total led to sentences and were passed on to the Judiciary.

Women in political and public life

Article 7

General situation

100. Discriminatory attitudes and practices, on top of the sheer load of family responsibilities and the high social cost, prevent women from aspiring to and remaining in public office and are factors that stand in the way of women's aspirations to occupy political positions. In recognition of this, a large number of affirmative action laws and measures have been put on the books in the last five years to promote participation by women in all decision-making posts within government and in public administration.

Legal measures adopted

101. Under the country's Political Constitution, the eligibility requirements for occupying the principal public offices and for voting are the same for women as for men.

Women in local government positions

102. As mentioned in Article 4 above, in October 1998 and July 1999 the provisions of Acts No. 26859 and No. 26864 (the Organic Elections Act and Municipal Elections Act, respectively) were put into effect, establishing a system of quotas for political power-sharing by women; specifically, every electoral slate must include at least 25 per cent women under penalty of non-registration.

103. Implementation of this quota requirement has boosted women's participation in local governments. In the most recent municipal elections in 1998, and the supplementary elections of 1999, a total of 57 mayoresses and 2,549 councilwomen were elected, accounting for 22 per cent of all municipal authorities in the country, compared with the total of 928 mayoresses and councilwomen elected in 1995. It should be emphasized that this increase took place primarily in provinces in the

poorest and predominantly rural departments: Ucayali, Moquegua, Puno, Huancavelica, San Martín and Huánuco; and at the district level in Moquegua, Puno, Huancavelica, San Martín and Huánuco.

Women in local government, 1995-1999

Perú	*1995*	*1998-1999*
Total mayors and council members (both sexes)	11 988	12 024
Provincial mayoresses	5	10
District mayoresses	52	47
Total mayoresses	57	57
Councilwomen	865	2,549
Total Mayoresses and Councilwomen	922	2 606

Source: National Office of Electoral Processes (ONPE)

Management positions held by women country-wide

104. Although women form a minority compared with men in upper management positions in public administration, their proportion is steadily increasing in the present government.

105. Within the Judiciary, of 130 superior court members nationwide in 1999, 20 were women. In the Lima Superior Court there are 122 justices — including regulars, temporaries and alternates — of whom 59 are held by women, that is, 48.3 per cent of the justice positions are held by women.

106. In the Attorney General's Office at this time, there are 15 senior prosecutors and 17 assistant senior prosecutors who are female. It should also be noted that, of 70 decentralized public agencies, 11 are headed by women.

107. In 1999, of 14 ministerial portfolios, one was held by a women and the remainder by men. As of June 1999 there were six women holding the position of deputy minister.

Participation of women at the local level

108. We should highlight the vital participation of women at the local level through such grass-roots social organizations as kitchens for the poor, mothers' clubs, Glass of Milk committees, health promoters, etc. It is estimated that there are currently about 12,000 such kitchens and 10,000 Glass of Milk committees in the country as a whole, all headed by women.

Efforts to encourage citizenship and its exercise by women

109. Between 1998 and 1999, PROMUDEH, by agreement with the European Union, has been encouraging the execution of a project known as "Access to Citizenship by Women in the Young Townships of Lima", whose goal is to provide women with the know-how, instruments and resources that will equip them to recognize, use and apply their rights as citizens, especially in the case of disadvantaged women.

110. This project is successfully improving access to justice for women in the marginal districts of Lima; giving them readier access to places of power, strengthening their capacity for information, decision-making and independence, and strengthening grass-roots social organizations.

111. The factors that have worked in favour of these improvements include: publicity about the rule; the opening up of political organizations; the increase in women's bargaining power; and the processes of sensitization and training spearheaded by PROMUDEH, NGOs and the chief women's organizations, advocating their inclusion in electoral slates.

112. Another ordinance enacted to promote participation by women in bodies previously "barred" to them was Act No. 27134 of 4 June 1999, which affords access for women to the National Merchant Navy School, where they can now attain appropriate ranks and benefits according to the same principles that apply to men in the merchant marine. This statute complements the parliamentary initiative that was promulgated as Act No. 26628 in June 1996, which broadens the opportunities for women to enter the officers and warrant officers schools in the armed forces, thereby putting an end to their exclusion from a major sphere of professional development.

Participation of women in the international sphere

Article 8

General situation

113. Peru's Ministry of Foreign Relations, through the personnel of the Diplomatic and Administrative Service, is the entity responsible for looking after the country's interests in its dealings with the other countries that make up the international community and with international agencies.

114. The current policy is to open up the diplomatic service by recruiting more women to represent the country internationally.

115. In performing this function, diplomatic officials have the opportunity to represent their government in the international sphere and to participate in the work of international agencies.

Increase in participation by women

116. The structure of the diplomatic staff shows that participation by women has increased in the last few years. At present, of 467 diplomatic officials, 67 are women, and, in the case of ambassador posts, which carry the heaviest decision-making responsibility, only 6 out of 65 are women.

Diplomatic officials, 1998

Officials	*Total*	*Men*	*Women*
Ambassadors	65	59	6
Diplomatic	467	400	67

Source: Ministry of Foreign Relations

117. Moreover, at the Diplomatic Academy there has been an increase in participation by women from 25 per cent to 54 per cent.

Nationality of women

Article 9

General situation

118. In Peru, the prevailing approach is a blend of the principles of jus solis and jus sanguinis; in other words, everyone born on Peruvian soil is recognized as a Peruvian citizen (right of birthplace), but so are those who, while not born on Peruvian territory, are children of Peruvian parents (right of blood).

Legal measures adopted

119. On 3 January 1996, Act No. 26574, the Nationality Act, was promulgated to regulate the legal, political and social ties related to Peruvian nationality.

120. Under this act, Peruvian nationality is granted to: (1) persons born on Peruvian soil; (2) naturalized persons; and (3) persons eligible to opt to acquire Peruvian nationality.

121. **Article 2 of the Act provides that:**

"The following are Peruvian by birth:"

- Persons born on Peruvian soil;
- Minor children who have been abandoned and are living on Peruvian soil, and children of unknown parents;
- Children born on foreign soil to a *father or mother* who is Peruvian by birth who are registered before reaching their majority in the civil register of the Peruvian Consulate.

Under this latter provision, the right is recognized only to descendants down to the third generation.

122. **Article 3 of the same statute states that:**

"The following are Peruvian by naturalization:"

- Foreign persons who express a desire to become so and who:
  - live for a least two years on Peruvian soil;
  - are regularly engaged in a profession, art, trade or business activity;
  - have no criminal record, are of good conduct and morally upright.

- Foreign persons resident in Peru who by virtue of distinguished services to the Peruvian Nation are proposed for citizenship by the Executive Branch may have this honour bestowed upon them by the Congress of the Republic by means of a Legislative Resolution.

123. **Furthermore, Article 4 provides that:**

"The following shall be eligible to opt for Peruvian nationality:"

- Persons born outside the territory of the Republic to foreign parents but living in Peru since the age of five years, who, upon reaching their majority, pursuant to Peruvian law, declare their desire to become Peruvian nationals before the competent authority.
- Foreign persons, *married to a Peruvian man or woman* and resident as such on Peruvian soil for at least two years, who express their desire to become Peruvian nationals before the competent authority. Spouses naturalized by marriage do not lose their Peruvian nationality upon divorce or the death of their spouse.
- Persons born abroad to a *Peruvian father or mother* who, upon reaching their majority, declare their desire to become Peruvian nationals before the competent authority.

124. With respect to loss of nationality, Article 7 states that:

On the matter of dual nationality, Peruvians by birth who adopt the nationality of another country shall not lose their nationality unless they expressly renounce it before a competent authority. Persons who enjoy dual nationality shall exercise the rights and obligations of the nationality of the country in which they reside. Dual nationality shall not confer upon foreigners who become naturalized the prerogatives of Peruvians by birth, and Peruvians by birth who enjoy dual nationality shall not lose the prerogatives conferred upon them by the Constitution.

125. Supreme Decree No. 004-97-IN-P/TC of 23 May 1997 published the regulations to Act No. 26574, which state that the Directorate of Migration and Naturalization (DIGEMIN) of the Ministry of the Interior is vested with jurisdiction and competence in administrative matters relating to migration, nationality and naturalization.

Education of women

Article 10

General situation

126. Education policy at the different levels and modes of the country's education system has incorporated family and sexuality issues within a framework of gender values and equity, and has included concepts having to do with self-esteem and esteem in the eyes of others. As part of this concept it has been established as a goal of the curriculum that each student identify himself or herself as a boy or as a girl, each with his or her own personal characteristics and qualities, while respecting the differences, identities and characteristics of the others. It is similarly seen as a feature of their graduation profile that they feel secure and identify with their

personal characteristics and act with assurance, self-knowledge, respect for their own dignity, and esteem for others.

127. In the proposed secondary education curriculum, it has been felt necessary to approach gender identity across the board, so that it is dealt with in all areas. In this process, value is attached to attitudes that reject all forms of social and gender discrimination and mistreatment of women.

128. At present, efforts are being made to teach illiterates to read and write through the Ministry for the Advancement of Women and Human Development.

Education programmes

129. Tireless efforts are being made through PROMUDEH's National Literacy Programme to reduce and eradicate illiteracy. The goal of this programme is not only to work on reading and writing with the illiterate population but also to teach elements of reproductive health, exercise of citizen rights and duties, and prevention of domestic violence. The methodological strategy of the programme is to incorporate an approach aimed at education for development.

130. The last few years have brought significant improvements in access to formal education for the country's population. The overall illiteracy rate fell from 12.8 per cent in 1993 to 7.8 per cent in 1999. Illiteracy among women similarly declined from 18.3 per cent to 7.8 per cent in the same period.

131. In this connection, there were 466,199 persons enrolled in the National Literacy Programme in 1998, of whom 84.7 per cent were women and 15.3 per cent men; in the process, 281,855 women, or 71.3 per cent of the total, passed the course, 9.5 per cent did not pass, and 19.2 per cent, or 75,703, withdrew.

Peru: Illiteracy rates by sex and year

Sex	*1995*	*1996*	*1997*	*1998*	*1999*
Total	11.3	10.7	9.7	7.7	5.7
Men	6.3	5.1	4.6	4.0	3.6
Women	16.2	15.5	14.1	11.2	7.8

Source: PROMUDEH

132. The 2000 target of the National Literacy Program is to lower the overall illiteracy rate to 3.5 per cent and the female rate to 4.1 per cent, with the assistance of more than 16,000 literacy promoters working with 300,000 illiterate persons.

133. So far, 37,219 women have become literate, representing 85 per cent of the estimated population. Productive workshops are also being held to enhance participant interest and secure commitment to attend the activities that have been arranged.

134. The Literacy and Training Programme for Women at Risk in the community centres run by the National Institute for Family Wellbeing (INABIF) a decentralized government agency under PROMUDEH, has as its objective to expand the capacity for abandoned women to enter the labour market, by providing literacy courses and training in sewing, weaving and cosmetology targeted at women who patronize the

32 INABIF community centres nationwide; 2,357 women are being assisted in this fashion.

135. In 1998, the coverage of the programme was expanded with the training of 28,552 promoters providing help to 548,891 persons; these figures rose still further in 1999, with 29,706 promoters and 594,120 persons being assisted.

136. The intercultural bilingual literacy project for Peruvian Amazonia trained 2,550 promoters to teach 50,000 persons, while the sex and reproductive health project in the National Literacy Programme trained 23,173 promoters and assisted 463,460 persons. In addition, the literacy and civic education project for indigenous, rural and displaced women in Peru assisted 2,500 women.

137. Throughout this process basic information has been incorporated on prevalent childhood diseases, sexually transmitted diseases and family planning, by giving courses and talks to the mothers and women who visit the community centres; those who benefit are the women who use the services at the INABIF community centres, who numbered 1,216 spread over the 32 centres.

138. Among children aged 6 to 11 years, the primary school attendance rate rose from 87.3 per cent in 1993 to 94.9 per cent in 1996. During this time, progress was noted in reducing the gender gap, since the primary school enrolment rate rose from 87.0 per cent to 95.1 per cent among boys, whereas the figure for girls climbed from 86.8 per cent to 94.9 per cent. It was similarly found that the average time at school for girls was 7 years, as against 8.3 years for boys, and that the education gap between men and women has not yet been eliminated at the higher levels of education.

139. In rural areas, however, the percentage breakdown by level of education of boys and girls aged 6 years and over revealed an unschooled female population of 23.5 per cent, with about 59.5 per cent attaining primary education, whereas among boys the figures were higher. There is still a large gender gap, as the male population with no schooling was about 8.9 per cent while males with primary education only represented 63.9 per cent in 1996.

Rural population aged 6 years and over by basic level of education, 1996

Male	%
Without schooling	8.9
Primary school	63.9
Female	%
Without schooling	23.5
Primary school	59.5

Source: INEI-ENDES, 1996

140. If we examine educational levels by natural regions, separating metropolitan Lima from the rest of the coastal strip, we find that the unschooled female population in the Selva is around 11.6 per cent, while the corresponding figure for the Sierra is 19.2 per cent.

Illiterate population by natural region, 1996

Natural region	*Male*	*Female*
Selva	4.7	11.6
Sierra	6.9	19.2
Coastal strip	5.1	9.0
Metropolitan Lima	2.1	4.5

Source: INEI-ENDES, 1996

141. This shows what poor access women, especially in the Sierra and Selva, can have to school-based education, which makes it impossible for them to obtain adequate information concerning their health, quite apart from which many health centres and stations do not reach the most remote areas. If we also view these data on education level in terms of access to such services as water, light, sewerage, housing, etc., we find that these inequalities are reflected there also. In rural areas, only 27 per cent of the population received its water supply from the public system in 1996.

142. Broad parity has now been reached between males and females in enrolment at all levels and types of school in the education system. This is illustrated in the table below.

	Total	*Boys*	*Girls*
Schoolgoing population	3 670 242	1 881 769	1 788 473
Student enrolment:			
Of minors in secondary education at publicly managed education centres	1 713 425	895 627	817 798
Teaching staff at primary education centres for enrolled minors	128 010		73 829
Education centres:			
For secondary education of enrolled minors	88 463	50 755	37 463

Source: Ministry of Education, Statistical Office, 1998

143. As part of the national population policy, the national strategy for alleviating poverty, and the policy of improving the quality of education, the National Sex Education Programme is promoting the all-round training of teaching staff by skills building in the areas of habits, lifestyles and adequate interpersonal relationships, as they relate to the environment and demographic considerations, while also promoting dignity and positive attitudes towards responsible parenthood, the value of sexuality, gender equity, and an understanding of the causes and effects of population dynamics and how they tie in with the country's development, combined with the values of peace and freedom.

As a result of this process:

- Family and sex education elements have been incorporated into the curricula at the primary, secondary and teacher training levels.

- 25,480 teachers have been trained (60 per cent women and 40 per cent men).
- Family and sex education guides have been prepared and distributed for: (a) students at primary and secondary schools and adults; (b) parents for use at the Parenting School; and (c) staff teaching at the primary and secondary levels and adults.
- 8,914 education centres have been brought into the programme.

144. In 1997, spending on education represented 21 per cent of the national budget, approximately 3 per cent of GDP; spending on health has not exceeded 4 per cent of GDP in the last ten years. In 1999, 5 per cent of the national budget was earmarked for the education sector and 5 per cent for the health sector.

Changes in texts, programmes and methods

145. The new proposal for education states that the objectives and content of sex education should be incorporated into the educational curriculum at all levels so as to promote the family, responsible parenthood, self-esteem, respect for other people, care of the environment, and sustainable development, thereby helping to prevent sexual violence, under-age pregnancies, sexually transmitted diseases and AIDS, school drop-outs, environmental degradation, etc., all with an approach based on gender equity and a human perspective.

146. People-based education emphasizes sex education and includes both the practice of and respect for human rights, set in the context of development and quality of life, which are combined with the concepts of freedom and peace advocated by the Peruvian Government. The educational materials prepared are thus geared towards the kind of education that nurtures values, gender equity, and respect for the rights of children and adolescents.

147. In this respect, the family and sex education guides for teachers and parents have goals and topics that deal with gender equity and heightened recognition of the role of women.

148. The new primary education curriculum, incorporating issues of family and sexuality within a framework of values and gender equity, is being implemented through the National Teacher Training Plan (PLANCAD), which trained 45,460 first- and second-grade teachers in 1995 and 1996. The target for 1999 was to train 18,960 primary and 2,430 secondary school teachers.

149. There were 2,099 female prison inmates in 1998, of whom 153 entered the penitentiaries without schooling; 150 of these took part in the Literacy Programme.

Equality in vocational guidance

150. Professional careers in mining, geology and metallurgy have not held great appeal for women in Peru, but more professional women are gradually being employed in underground and surface mining, concentration plants, and foundries.

Opportunities for scholarships and subsidies

151. Women have gained ground in this area, becoming involved in different research disciplines and demonstrating increased interest in the health sciences; it is noted, for example, that in the research projects subsidized by the National Science and Technology Council (CONCYTEC) there was a decrease in 1998, compared

with 1997, both in the total number of projects submitted and in the number — though not in the proportion — submitted by women. Of 62 projects subsidized in 1997, 20 (or 32 per cent) were presented by women, compared with a total of 36 projects in 1998, of which 14 (39 per cent) were presented by women (see tabulation below).

Year	*1997*		*1998*		*Total*	
Discipline	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
Basic sciences	8	5	3	4	176	96
Agric. and veterinary sciences	11	2	5	2	124	28
Health sciences	7	4	2	4	103	58
Engineering sciences and technology	9	5	10	3	274	63
Social sciences and humanities	7	4	2	1	139	32
Subtotal	42	20	22	14	816	277
Total	**62**		**36**		**1093**	

Access to educational information to assure the health and wellbeing of families, including information on and counselling in family planning

152. In this area, some progress has been made in terms of including health issues, notably sex education and family planning, in the public school system. There are commitments to train 15,000 teachers and to inject a million books, together with methodological guides for teachers, as part of the "School Protects Life" programme.

153. Article 5 of Title I — Rights, Duties and Responsibilities Relating to Individual Health — of the General Health Act provides that: "Every person is entitled to be duly and promptly briefed by the health authorities on health measures and practices, adequate diet, mental health, reproductive health, transmissible diseases, chronic degenerative diseases, and other actions conducive to promoting healthy lifestyles. They are similarly entitled to receive information on risks arising from tobacco use, drug addiction, violence, and accidents."

Advancement of women in the workplace

Article 11

General situation

154. Over the last few years, both statistical and non-statistical information points to a considerable increase in participation by women in the country's economic and productive activities. In spite of this progress, which signifies a major contribution by women to the generation of both income and wealth, it must be acknowledged that women still have limited access to work, resources and new technologies because of centuries of ingrained historical and cultural conditions that have led to a generic divide in the workplace and to an unequal distribution of resources between

men and women. When it comes to the labour situation of women, we have to state that *no kind of discrimination is allowed*, pursuant to Act No. 26772 (analyzed in Articles 1 and 2 of the Act).

155. The regulations to this act were issued in Supreme Decree No. 002-98-TR and provide that the restriction imposed by Act No. 26772 on offers of employment and access to educational training also applies to employers who hire, to the educational training media, and to the employment or other agencies that serve as intermediaries in offers of employment.

Policies, programmes and projects with a gender component

156. Since 1996, the Ministry of Labour has been running the Female Programme to Consolidate Employment (PROFECE), whose goal is to secure temporary income for adult women of limited economic means living in the marginal urban areas of metropolitan Lima; during this past year, the programme began expanding into the department of Ayacucho, where it works with productive family units.

157. During the first four months of 1999, PROFECE succeeded in filling 1,553 temporary jobs, mostly in the textile and services sectors.

158. In January-April, the Programme took part in five job fairs and similar events, at which the products of a total of 24 Organized Female Labour Supply Groups (GOOLS) were displayed.

159. The first quarter of the year marked the completion of the first stage of the project to "Expand PROFECE into the Department of Ayacucho". The primary aim of this project is to enhance the labour opportunities of family units, including low-income women, living in the provinces of Huamanga and Huanta in the department of Ayacucho, by helping them to market their products. The chief product line identified in this project is handcrafts. During this initial phase, work was completed on identifying and deciding on the various components: linkages, sensitization, systems and records.

160. So far, a total of 40 GOOLS have been identified in Ayacucho; a GOOL is an organized group of women capable of offering continuous, high-quality labour.

Rights of working mothers

161. Act No. 26649 grants social security to a child born out of wedlock, or recognized by the insured in a formal proceeding established by law or, failing that, when paternity has been declared by the courts. Care of unborn infants is provided for uninsured mothers, who are entitled to maternity benefits, including pregnancy and delivery check-ups.

162. Article 3 of Act No. 26790 promulgated on 17 May 1997 — Act Modernizing Social Security for Health — states that social security coverage is extended to regular or co-opted members and their beneficiaries, the latter defined as: the spouse or common-law partner referred to in Article 326 of the Civil Code, as well as the minor children, or adult children who are completely or permanently unable to work, provided that they are not compulsory members. However, this act did not provide entitlement to the nursing allowance for children born to mothers who were not working and not insured, even if the child's father was insured. After study, on 15 February 1998, S.D. No. 001-98-SA established the entitlement to nursing allowance for babies whose fathers or mothers are regular social security

subscribers, thereby making all mothers eligible for the nursing allowance for their newborn children.

163. Article 10 of Act No. 26842 of 15 July 1997 — General Health Act — provides that in its nutrition and food assistance programmes the State shall give preferential care to children, pregnant women, adolescents, and elderly persons who have been abandoned.

164. The Ministry for the Advancement of Women and Social Development runs the National Wawa Wasi Programme, which consists of community education and day-care centres that provide model care for children from 6 months to 3 years, offering them a domestic living environment that helps in their overall development in safe conditions under care-givers who are themselves mothers. In the period 1998-99, comprehensive care was provided for 26,806 children below the age of 3 years; at the same time, child-care instruction has been given to 3,617 mothers who use the Wawa Wasis. Training has also been provided for 6,091 care-giving mothers, canteen operators, and watch committees. Since its inception in 1994, it has cared for 41,164 beneficiaries, all boys and girls, in areas of poverty and extreme poverty, and 30,000 mothers have benefited from this service. In the department of Lima, there are 2,921 Wawa Wasis, taking care of 20,964 infant boys and girls.

165. It is important to mention, in connection with Act No. 26772, that, as indicated earlier, its regulations were published on 1 February 1998. These provide that the restriction imposed by Act No. 26772 on offers of employment and access to educational training also applies to employers who hire, to the educational training media, and to the employment or other agencies that serve as intermediaries in offers of employment.

166. It also provides that investigations into acts of discrimination shall be conducted by the Labour Administration Authority at the request of a party or ex officio in the event of an egregious or obvious violation; the mass communication media that publicize offers of jobs and access to educational training centres are also required to provide necessary information and facilities for the investigation. In addition, rules are laid down for the procedure to be followed when [it is believed that a party]* is a victim of an act of discrimination.

167. The regulations state that, to initiate proceedings at the petition of a party who considers herself or himself affected, a complaint may be filed with the Labour Administration Authority (Division of Employment and Vocational Training, or the unit acting on its behalf), attaching the pertinent evidence. The time limit for filing the complaint is thirty (30) working days.

168. The penalty imposed by the Authority will consist in a fine in the amount of one (1) tax unit (TU = 2,800 soles for the current fiscal year). The fine will be applicable to the hiring employers, the educational training centres, or the employment or other agencies that serve as intermediaries in the offers of employment, depending on who contracts for the advertisement in question.

169. Anyone publishing or disseminating offers of employment or access to educational training media that has already been fined by the Labour Administration Authority, or if the second offer involves similar facts, circumstances or characteristics, shall be deemed a repeat offender.

* The Spanish original is garbled at this point. Tr.

170. Moreover, persons who have participated in a selection or admission procedure for a position or training course, and who on any of the discriminatory grounds set forth in Act No. 26772 were not hired or admitted, are given the option of claiming compensation for the damage or harm suffered, to which end a fact-finding hearing must be held in civil court. Compensation is to be both reasonable and commensurate, taking account of the amount of annual remuneration offered or the annual pension, depending on whether the case involves discrimination in employment or in access to training courses, respectively.

171. The regulations under discussion specify that it is not considered discriminatory to require particular skills in order to perform the job or attend the course offered, since such a requirement is based on an objective and reasonable justification.

Women and health

Article 12

General situation

172. The object of the National Population Policy is to disseminate and advocate responsible fatherhood and motherhood, while recognizing the right of families and individuals to decide (Articles 6 and 9 of the 1993 Constitution).

173. In the health area, based on the 1995-2000 overall policy guidelines, universal exercise of this right is guaranteed for the population at large and, in particular, for women, especially poor women, those in rural areas and those who are socially vulnerable (a group that includes women heads of household).

174. The Ministry of Health's Reproductive Health and Family Planning Programme has targeted its care to the poorest women, those in rural areas and women who are socially vulnerable. In this connection, with support from the Nippon Foundation project, the comprehensive and reproductive health project is being carried out to benefit native communities in the Peruvian Selva.

175. 180,944 patients received counselling under the Family Planning and Human Sexuality Programme, 20 per cent of whom were seen for family planning; of these, 22 per cent were men and 78 per cent women.

Family planning consultations (per cent)

Total Coverage, all aspects (180 944):	20
Modern method	85
Traditional method	15
Men	22
Women	78
Prevalence of contraceptive methods:	
Condoms	37
Vaginal tablet	14
IUD	10
Injectable	9
Oral	8
Voluntary Surgical Contraception	3
Vasectomy	0.8

Source: ESSALUD, 1999

Actions to improve women's health

176. The National Institute of Neoplasic Diseases is running a hospital-based preventive programme to combat cervical and breast cancer. Moreover, the national prioritization of health problems, as part of the ongoing sector reform, has singled out cancer, and particularly cervical and breast cancer, as a programme priority, and it is planned to set up a system of prevention networks across the country.

177. Traditionally, the health sector has been characterized by a strong female presence in its labour force, both professional and technical, although there is no specific sector policy calling for greater access for women to decision-making positions.

178. Sex education in the schools aimed at the adolescent population is dispensed under the responsibility of the Ministry of Education through the family and sex education guides for pupils in grades 1 through 5 of secondary school, so that they are prepared to assume their sexuality in a responsible manner.

179. The perinatal programme for mothers, which forms part of the Plan to Reduce Maternal Mortality, is being used to broaden the coverage of prenatal check-ups and institutional care at childbirth, by providing drugs for free care, in poor areas, for 24 per cent of the country's total deliveries (approximately 150,000), as well as for 10 per cent of obstetrical emergencies. Training in emergency obstetrical care has been provided for 5,730 professionals and 3,047 nursing technicians; 6 waiting homes for expectant mothers have been set up; training in maternal health care has been provided for 2,377 community employees and 1,625 professional delivery attendants; committees for the prevention of perinatal maternal deaths have been set up in all health establishments, which account for 70 per cent of all deliveries; an epidemiological survey card has been prepared; and a nationwide line has been established for reporting maternal deaths.

180. With respect to cervical cancer, the perinatal programme for mothers and the reproductive health and family planning programme are tackling the problem and are earmarking funds for detection in each of their areas. For their part, the more complex establishments have taken on the detection of this neoplasm as a routine and mandatory part of their prenatal check-ups.

181. The goal of the national plan for the prevention of gynaecological cancer is to lower the morbidity-mortality rates for cervical and breast cancer in Peruvian women, and to expand the coverage for the detection, diagnosis and treatment of precancerous lesions of the cervix and breasts with quality services.

182. Training is being provided to 33 regional and subregional coordinators, to 21 doctors in charge of the diagnostic and treatment units for precancerous lesions of the cervix and breast, and 132 obstetricians and nurses, all of whom help to run diagnostic and treatment units for precancerous cervical and breast cancer lesions in 21 referral hospitals of the health departments selected. This plan will be countrywide in coverage, in terms of activities within and outside the sector. Service delivery activities will include the establishments of the Ministry of Health, the IPSS, the AF and PF, and others.

183. Secondary prevention of uterine cervical cancer involves the detection, diagnosis and treatment of precancerous lesions of the cervix in women who have had sexual relations, are aged between 30 and 49 years, and have limited resources.

184. Screening of expectant mothers with no prior Pap test will be done from the age of 25, with secondary prevention of breast cancer. In the case of the diagnostic detection and treatment of precancerous breast lesions, the priority group consists of women above the age of 35 years, with emphasis on childless women or those with a family history of breast cancer.

Strategies for controlling STDs and HIV/AIDS

185. As of 30 April 1999, a cumulative total of 8,550 cases of AIDS had been reported to PROCETSS, the programme for controlling sexually transmitted diseases; the institution estimates that there have been between 10,000 and 12,000 cases in Peru.

186. AIDS mainly affects young people. 37 per cent of the AIDS cases reported to the programme were between 20 and 30 years of age, and more than 70 per cent involved people aged between 20 and 39 years, that is, the most productive time of life.

187. AIDS is affecting Peruvian women more every day. Of the total cases reported, 83 per cent are men and 17 per cent women. However, when we examine the proportion of women with AIDS each year, we see a steady and sustained increase since 1990; by 1998 women accounted for about 25 per cent of the cases reported in that year.

188. Information gathered since 1996 by the sentinel surveillance system on HIV infections in pregnant women aged between 15 and 24 years reveals an incidence of 0.2 to 0.6 per cent; according to the results of studies, we find a prevalence of 1-2 per cent among sex workers and more than 15 per cent among men who engage in sex with other men. This suggests to us that the epidemic in Peru is a concentrated

one (according to a World Bank definition). In addition, we have roughly 70,000 to 100,000 persons infected with HIV nationwide.

189. HIV transmission in Peru occurs chiefly through sexual relations; 96 per cent of the AIDS cases reported became infected with HIV in this way. The cumulative number of AIDS cases in Peru due to transfusions of blood and/or blood products represents 1.6 per cent of the total, one of the lowest figures in Latin America. This low percentage is due to the mandatory screening of all blood donors and/or blood products, a strategy that has been adhered to and extended throughout Peru. 2.19 per cent of the country's AIDS cases originated from contamination by a mother infected during pregnancy, at childbirth, or post partum.

190. The Ministry of Health has responded to the STD and HIV/AIDS epidemic with a comprehensive programme for controlling sexually transmitted diseases and AIDS (PROCETSS), which implements the following countrywide prevention and assistance strategies:

- Prevention of vertical transmission of HIV: Since 1966, every pregnant woman who is HIV-positive receives free treatment during her pregnancy from the 35th week until delivery. Newborn children of HIV-infected mothers receive infant formula free for the first few weeks of life. In addition, free HIV screening is starting to be offered to pregnant women during their prenatal check-up.

- Elimination of congenital syphilis: avoids cases of newborns with congenital syphilis through early diagnosis and treatment of the pregnant women with syphilis.

191. In 1996, the country began offering free syphilis screening and treatment to pregnant women during prenatal check-ups, the puerperium, and to newborns. In 1998, 197,457 pregnant women were screened for syphilis during their initial prenatal check-up; of that number, 2,041 tested positive and received full, timely treatment, i.e., at least that many cases of congenital syphilis were averted.

192. Early diagnosis and treatment of HIV relies on knowledge of how to control STDs, which used to be called venereal diseases. This strategy is built into STD services at the point of first encounter through syndrome management of STDs. During 1998, the state health services examined 338,136 STD syndromes, 9,290 cases of latent syphilis, and 1,173 cases of congenital syphilis (a total of 349,599 cases). STD case management also includes diagnosis and pharmacological treatment, the furnishing of information, and counselling. Among groups with a high prevalence of sexually transmitted diseases, such as sex workers, periodic medical care is provided (clinical laboratory testing every four weeks) at the STD referral centres. These centres conduct ELISA tests for chlamydia, cultures for gonorrhoea, and direct examinations to diagnose trichomoniasis, candidiasis and bacterial vaginosis.

193. During 1998, the health sector provided care to sex workers on 48,055 occasions, at a significantly reduced cost of care.

194. It is worth emphasizing that behaviour modification interventions have been carried out whereby a variety of counselling arrangements have been implemented throughout the country (pre-test and post-test counselling, support for serum-positives, and on STDs). This strategy is the only educational intervention that has

proved it can lower the risk of becoming HIV-infected. The peer education promoters are also part of this strategy; they convey information and promote the use of condoms among specific groups, such as sex workers and men who engage in sex with other men. This is the core part of the activities that the Ministry of Health conducts, through PROCETSS, to control HIV infection and AIDS.

Health programmes

195. Health Insurance (ESSALUD) plays its part through adequate use of the IEC strategy (Information-Education-Communication), supplemented by the delivery of services and the conduct of research.

196. The most noteworthy health programmes executed during 1998 included: prenatal and normal puerperium check-ups, family planning and human sexuality, gynaecological cancer, and sexually transmitted diseases/AIDS.

197. The special programmes include **Youth ESSALUD**: Model Primary Care Intervention for Adolescents in Sexual and Reproductive Health; and **Climacteric**: a Comprehensive Prevention Model for Women aged 35 to 55 Years, which are held at eight clinics throughout the country.

198. There are also social wellbeing and promotional programmes targeted at the adult population; above 60 years of age, 65 per cent of the population is female.

199. The health education and prevention programmes aimed at preventing the most common kinds of harm for adult women have been carried out through health education campaigns, as well as campaigns to detect diseases that are more prevalent among women, such as uterine cancer, breast cancer, osteoarthritis, HBP, and diabetes mellitus.

200. Another programme is that of productive training and occupational therapy, which is aimed at overcoming the feeling of uselessness that occurs in elderly women when they retire from an active working life; it also creates opportunities for them to gain new knowledge and work skills, as well as to develop or keep up their lost skills, which they can practice in vocational or occupational therapy workshops.

Results of programmes and projects in 1998

On the basis of the following broad indicators:

	ESSALUD	*PERU*
Total population (TP)	6 387 390	25 232 225
Women of childbearing age	1 271 638	6 682 742
	(19.9 per cent of TP)	(26.5 per cent of TP)

Source: ESSALUD

201. The social wellbeing and promotional programme run by ESSALUD managed to set up 103 Adult Centres (CAMs) around the country, at which services were provided to 783,121 insured seniors, 65 per cent of them women. This also generated 659 jobs with average monthly earnings of 400 new soles, from which a total of 804 families benefited indirectly.

Youth programme — Essalud, 1999: Obtained the following results:

Product	*Programme target*	*Number*	*Per cent execution*
PN1 Promoters	40	154	385
PN2 Promoters	1 200	1,303	109
CN3 Promoters	30 000	32,575	108
Dropout rate	15 per cent		
Parents briefed	240	397	165
Teachers briefed	240	270	113
Recreational sessions	96	298	310
Cost-effectiveness	150	121	80

202. PROMUDEH's Resettlement Support Programme, as one of its main lines of action, promotes access to health services by people returning to their homes; accordingly, by agreement with the health sector, it builds and/or rehabilitates health centres and/or posts. During 1998, 24 health posts were built and 6 equipped; they benefited as many population centres with a combined population estimated at 14,000 persons.

203. During 1998, it coordinated with the health sector to implement family planning programmes; 36 activities took place, notably gatherings at which there was a high proportion of young people, estimated at 1,800, with whom topics dealing with sexuality and violence against women were discussed.

204. The programme on the rights to women to comprehensive health care concluded with the training of 480 promoters in the settlements around metropolitan Lima, Ayacucho and Huancavelica; 4,800 women and their families were briefed on overall and reproductive health, a task that was undertaken directly by the promoters and professionals in the sector.

205. In the same year, through the resettlement support programmes, 79 actions (ranging from campaigns to rallies, seminars, workshops, and publicity sessions) were carried out to promote recognition of health as a basic human right. They reached an estimated 6,000 people. By the end of 1999 they are expected to have benefited 24,000 persons.

206. This activity is being retained for 1999, though it has yet to be determined how many health posts are to be built, rehabilitated, and/or equipped. Also, as part of the family rights programme, training has been scheduled for health promoters to participate in the activities proposed by the Ministry of Health as part of the effort to form networks among the grass-roots organizations.

207. Another service worth highlighting on the health issues front is free student insurance (SEG) for the initial, primary and secondary levels, where the health and education sectors play an important role in the overall protection of young children and adolescents. This novel service is part of the plan to fight poverty and is helping to resolve the economic problems faced essentially by families in the country's poorest sectors.

208. It should also be noted that PROMUDEH secured approval and financing from the United Nations Population Fund for the project "Sexual and Reproductive Health in the Community Offices of Defenders of Children and Adolescents", the purpose being to broaden access to information, education, and sexual and reproductive health services for adolescents of both sexes in the areas of influence of those Defenders' Offices.

209. As an outgrowth of the project "Trials of a hospital-based model for combining complications from miscarriages with family planning", and following the introduction of protocols for manual endouterine aspiration (MVA), complications arising from miscarriages are being treated in health establishments as promptly as occasion demands, and to this end the hospitals are developing several different strategies. Although such treatment still has its limitations, the plan is to treat every patient who comes to a health establishment because of a miscarriage.

210. Abortion in Peruvian law is considered a crime against life, body and health. Article 114 of the Penal Code states that a therapeutic abortion is permitted only when the life of the mother is at risk and provides for two extenuating circumstances: "When the pregnancy is the result of a rape and when it is likely that the foetus will be born with serious physical or mental defects, provided that a medical diagnosis has been made."

211. The Ministry for the Advançement of Women and Human Development has conducted two informational campaigns on sexual and reproductive health directed at 300,000 adolescents.

212. In other respects, the life expectancy of Peru's population has been rising over the decade just ended. In 1990 it stood on average at 66 years, whereas by 1999 it had risen to 69. The breakdown by sex shows the same increases for both men and women, with men rising from 63 to 66 and women from 68 to 71.

213. With respect to infant mortality, of every thousand babies born live in Peru, 43 die before their first birthday. This indicator was higher in previous years; for example, in 1990, the infant mortality rate was 62 per thousand.

Life expectancy at birth, by sex, 1990-1999
(in years)

	Year	
Sex	*1990*	*1999*
Total	66.0	69.0
Men	63.2	66.3
Women	68.0	71.3

Source: INEI, Projections of Peru's Population, 1995-2025

Infant mortality, by area of residence, 1990-1999
(per thousand live births)

Area of residence	*Year*	
	1990	*1999*
Total	61.6	42.5
Urban	47.2	33.1
Rural	81.0	55.0

214. With improving health, the total fertility rate (TFR) has declined by 19 per cent; it now stands at 3.0, compared with the figure of 3.7 recorded in 1990. This decline is due to significant changes in access to contraception, to health services, and to education, particularly of women.

215. The Ministry of Health and the Peruvian Social Security Institute are the main suppliers of modern contraceptives, covering 70 per cent of current female users (ENDES, 1996).

216. While they may have improved since, the survey confirmed the profound disparities that exist between population groups, and the fact that services are concentrated in the capitals of the departments along the coastal strip; unfavourable situations persist in the Sierra and Selva, leading to claims of social discrimination since the people who live there lack access to services generally in the field and have high fertility and infant mortality rates.

217. In terms of coverage and access to health services, we find the delivery of immunization programmes to children to be fairly high; about 94 per cent of infants from 12 to 23 months have been vaccinated, notably against DPT and polio, but with the third dose the coverage drops off to 77 and 71 per cent.

218. In the ENDES sample survey, only 56 per cent of expectant mothers were attended by health professionals; of these, 32 per cent were assisted by doctors and 24 per cent by obstetricians and nurses; 24 per cent by midwives, and 19 per cent by a family member.

219. According to the National Perinatal Maternal Health Programme, it is estimated that, in 1998, across the country 50 per cent of all deliveries were assisted at public health establishments.

Adolescent mothers

220. In 1998, according to estimates by the National Institute of Statistics and Information Science, there were 1,313,873 women between the ages of 15 and 19 who were at risk of becoming pregnant if they were to become sexually active without taking any preventive measures. 13.4 per cent of this population (176,000) are already mothers or expecting for the first time.

221. Studies carried out by the same institute show that, in 1999, 11,000 adolescents aged 12 to 14 years were already mothers, while the total for 15 to 19-year-olds was 147,000.

Use of contraceptives

222. In 1998, 67.8 per cent of women married or living with a partner used some form of contraception, compared with a figure of 57.3 per cent at the start of the decade. The increase in the use of contraceptives has been one of the decisive factors in reducing fertility in Peru.

223. As regards the contraceptive methods used by women, 41 per cent of those living with a partner, married or otherwise, use some modern form of contraception, while those using a traditional method have remained at about the same proportion since the early 1990s (26 per cent).

Economic and social benefits

Article 13

General situation

224. In 1997, the Targeted Strategy to Alleviate Extreme Poverty was approved (Supreme Decree No. 030-97-PCM) as a vehicle for steering public investment, in terms of geographical coverage and lines of action, for the purpose of reducing extreme poverty to 11 per cent by 2000. This strategy was designed to complement the legislation enacted in 1993 in relation to basic social spending, by implementing programmes to promote the development of areas of the country viewed as critical because of their state of poverty.

225. Since 1998, the Programme to Target Economic and Social Investment (PROFINES) has been applying, in 419 districts regarded as being in extreme poverty, a participative methodology whereby the beneficiaries themselves set their priorities by formulating action plans. PROFINES' role in this effort is to plan, programme and assure the financing and execution of the projects aimed at reducing extreme poverty.

226. The levels of extreme poverty reduction achieved between 1995 and 1998 involve a population of approximately 1.2 million, equivalent to some 200,000 families, a large proportion of them headed by women.

227. As part of the fight against poverty, the Peruvian Government is pursuing a series of policies to assist those living in poverty. In the area of economic development, it has accordingly been focusing its concerns on promoting *access by women to ownership, microenterprise management, and credit*. As international experience has shown, this is the way to promote the economic emancipation of women, which is the foundation for eliminating other forms of discrimination.

Measures adopted

228. The Ministry of Education has implemented Free Student Medical Insurance benefiting minors from the age of 3 years on. This substantially reduces absenteeism and dropouts and converts our schools into promoters of health.

229. Through such agencies as the Materials Bank (Banco de Materiales), INFES and PRONAP, the Ministry of the Presidency is making possible a gradual increase in participation by women in all parts of the country where works and projects are being carried out, thereby helping to improve the quality of life of women in their

role as homekeepers, and in many cases heads of family, as they sit on the coordination committees for people's canteens and mothers' clubs, or assume direct responsibility for forming microenterprises in crafts, tourism, etc., or even serve as core executing groups for basic sanitation and community sanitation works.

230. In particular, PRONAP has developed a sanitation programme for medium and small-sized localities (SAMEPEL), which incorporates, as one of its components, the gender approach which promotes greater participation by women through grass-roots organizations in all phases of each project and their training in aspects of sanitation, so as to achieve greater participation in decision-making and in the membership of the governing boards.

231. As one of its lines of action, the Ministry of Industry, Tourism, Integration and International Trade Negotiations (MITINCI) is carrying out a series of programmes to support the entrepreneurial sector; they promote a gender policy favouring equal opportunities for men and women involved in entrepreneurial development.

Access by women to ownership

232. Through the Commission for the Formalization of Informal Ownership (COFOPRI), duly registered property deeds are being issued to families living in informal settlements and urban districts. In these situations, possession of the housing lots is not in question, but the owners lack the juridical certainty that can come only from universal recognition through issuance of the corresponding property titles duly recorded in the national system of public registers.

233. This informal property situation is unfair generally to those who live in the human settlements, but especially so to women: in the informal real estate market, when a family sold its property there was no requirement that the deed of sale be signed by both spouses; usually, therefore, the husband had unilateral control of the property, often to the direct detriment of the wife and their children.

234. The work done by COFOPRI in urban areas is paralleled in rural areas by the special land titling programme called PETT, which comes under the agricultural sector.

Women benefiting from property titles

Department	*Total women*	*Unmarried*	*Married*	*Widows*	*Divorced*	*Total lots*
ANCASH	3 597	2 763	204	574	40	16 909
AREQUIPA	12 394	10 494	401	1 252	69	63 909
AYACUCHO	62	39	0	20	1	272
ICA	3 062	2 364	128	486	27	14 937
LA LIBERTAD	1 580	1 257	12	204	21	6 970
LAMBAYEQUE	1 910	1 562	95	198	5	7 406
LIMA	59 175	47 705	2 714	7 344	436	304 302
LORETO	690	644	20	20	5	3 023
MOQUEGUA	3	2	1	0	0	258
PASCO	169	110	10	47	2	781
PIURA	302	274	1	17	1	1 629
Total	**82 944**	**67 214**	**3 586**	**10 162**	**607**	**419 522**

Access to management of microentérprises

235. According to official statistics, there are 3.2 million economic units in the small and micro business sector. Of this universe, 47 per cent are located in the commercial sector, and of these 50 per cent are microenterprises run by women.

236. The Peruvian Government is encouraging greater participation by women in entrepreneurial activities. For example, it has completely transformed a public sector entity, Grass-roots Co-operation (COOPOP), so that it can devote itself entirely to promoting women's grass-roots organizations and in particular to financing their small-scale productive projects. Similarly, other entities, like the National Programme for Food Aid (PRONAA), have incorporated into their regular operations efforts to promote microenterprises run by women, as shown by the table below.

Microenterprises supported in 1998

Entity	*Investment (in millions)*	*Number of projects*	*Beneficiaries per project*	*Total beneficiaries*	*Investment per project*
COOPOP	3.1	138	15	2 070	22 536
PRONAA	3.8	1 423	5	7 115	2 670
Total	**6.9**	**1 561**	**20**	**9 185**	**4 427**

237. It is worth highlighting that the Ministry of Women has staged 12 training events for women to help them generate income and set up grass-roots social organizations and small businesses, in addition to a course for motivators of entrepreneurial management groups.

Women's access to credit

238. For its part, access to credit generates a series of benefits for women, ranging from the ability to use financial leverage to expand their small business activities, to use of the expanded consumer options afforded by personal banking.

239. Thus, and within the context of financing for small and micro-enterprises, SMEs, it had up until 1998 made more than 25,000 loans totalling more than US$41 million in 8 of the principal cities in Peru. 40 per cent of these loans went to small businesswomen, with, incidentally, a high recovery rate (96 per cent). Of the total loans made, 75 per cent went to the productive sector, and of these half were for making ready-made clothing, a sector in which for the most part women are engaged.

240. In tandem with the line of credit, FONDEMI, through the bond system, offers a training, technical assistance, and management information programme to small businesswomen and women who work in microenterprises, in order to improve their productivity and competitiveness and consolidate their economic units. Through this mechanism, 28,021 persons have been trained with the aid of 11,375 bonds, of whom 40 per cent have been women.

241. The municipal banks, rural banks and some NGOs are among the institutions that provide credit to small and micro-enterprises. It is estimated that up to June 1999 some 34,475 loans to women had been granted.

Credit to SMEs in the NGOs

No. of loans granted during 1998	54 352
Disbursements during 1998 (S/.)	76 835 475
No. of loans outstanding at December 1998	36 137
Total amount outstanding at December 1998 (S/.)	37 477 344
No. of loans made to men	19 877
No. of loans made to women	34 475
Disbursements to men (S/.)	32 529 388
Disbursements to women (S/.)	44 306 086

242. There has been an increase in micro credit programmes to low-income sectors and to microenterprise, such as MIBANCO, a private entity in which the State assumes the exclusive role of promoter. This lending agency will address demand from the poorest sectors of the population, which includes both women and small business owners of both sexes, who, based on experience in the financial market, have the lowest rates of delinquency. It has a portfolio of US$6,799,605 owed by 22,456 women clients.

243. Moreover, the special projects component of the national food aid programme (PRONAA) is targeted at organized women who belong to the grass-roots social organizations (GSOs) and is specifically aimed at supporting the development of income-generating projects through productive microenterprises. This programme offers a way to provide training for the development and operation of

microenterprises, technical assistance, and credit. Loans are made in cash or in the form of equipment.

244. These projects are being carried out in the departments of Cuzco, Puno, Huaraz, Cajamarca, Trujillo, Lambayeque and Arequipa, and provide support to women managing small businesses in agroindustry (processing of dairy products, cereals), ready-to-wear clothing, and footwear. The women are now in the process of repaying the loans. The program has benefited 55,000 women.

245. These are the fundamental policies of the Peruvian Government for eliminating discrimination against women in the economic arena. They are being carried out through appropriate public sector institutions, with assistance from the private sector and non-governmental organizations.

246. Against this backdrop, and thanks to the Government's employment-generation measures, there has been a strong and steady upward trend in women's participation in the EAP since 1980, running at more than 10 per cent.

Trends in women's participation in the EAP

	EAP			
Year	*Total*	*Men*	*Women*	*Participation by women (%)*
1980	5 745 087	4 022 331	1 722 756	30.0
1985	6 756 471	4 633 413	2 123 058	31.4
1990	7 786 010	5 214 384	2 571 626	33.0
1995	8 906 009	5 816 530	3 089 479	34.7
1999	7 366 000	4 129 000	3 237 000	43.9

247. Women have access to credit through three segments of the financial system: the formal banking system, which is under the supervision of the Superintendency of Banking and Insurance; the segment of state-run entities that operate direct lending programmes to microenterprises; and, finally, the segment made up of NGOs.

248. The Superintendency of Banking and Insurance is responsible for regulating the "traditional banking" system and formally established entities that lend to small businesses. A database with a field explicitly for capturing gender is currently under development.

249. One of the most important micro-finance institutions in the system is MIBANCO, which as of 30 June 1999 had a portfolio of 22,456 women clients. MIBANCO began operations in May 1998, continuing the lending operations previously carried out by the NGO Community Action.

250. Similarly, within the formal financial system, there are institutions that specialize in support to small companies, known as Entities for the Development of Small and Micro-enterprises (EDPYMES). These also work with women, as evidenced by the figures below:

- As of 30 June 1999, Crear Arequipa had a portfolio of S/. 1,641,089 held by 814 women clients. It opened its doors in April 1998.

- As of 30 June 1999, Crear Tacna had a portfolio of S/. 1,641,089 held by 814 women clients. It opened its doors in April 1998.
- As of 30 June 1999, Nueva Visión had a portfolio of S/. 1,360,555 held by 249 women clients. It opened for business in April 1998.
- As of 30 June 1999, Edyficar had a portfolio of S/. 8 million held by 4,221 women clients. It began operations in January 1998.

Lending to women by MIBANCO and the EDPYMES

Lender	*Women clients*	*Loans to women*	*Total clients*	*Total credit*	*% of women clients*	*% of lending to women*
MIBANCO	22 456	22 710 684	36 184	36 671 000	62	62
Crear Arequipa	814	1 641 089	1 443	4 350 000	56	38
Crear Tacna	643	2 399 421	1 402	6 168 000	46	39
Nueva Visión	249	1 360 555	522	2 660 000	48	51
Edyficar[1]	4 221	8 000 000	4 345	16 212 000	97	49
All EDPYMES[2]	5 927	13 401 065	7 712	29 390 000	77	46
Total EDPYMES and MIBANCO[2]	28 383	36 111 749	43 896	66 061 000	65	55

[1] Approximate figures.
[2] The table does not register data.

251. Between July 1994 and December 1998, PRONAA approved 944 loans to microenterprises established by women in a total amount of S/. 8,156,722 (US$2,456,844), as part of its project "Food Assistance to Women's Groups to Promote Women's Microenterprises". About S/. 65 million of this investment fund is a contribution from the World Food Programme (through the monetization of 20,000 mt of foodstuffs), with the difference financed from ordinary resources. (See Article 15.)

Women and productive housing

252. The Productive Habitat project is carried out in areas of urban poverty and is intended to promote and support the development of economic activities in dwellings and settlements where it intervenes, thereby encouraging productive dwellings or home workshops.

253. Given the characteristics of such areas, it is the women who express the greatest interest in and commitment to overcoming their living conditions. This is in line with the principles of gender equity set out in the following guidelines:

254. By generating equal opportunities for men and women, taking as a benchmark positive discrimination in all programmes. For example, in Hualhuas, women's participation in the lending programmes for microenterprises is 47 per cent, mostly for craft making and marketing of local products, where 70 per cent of the "production units" are led by women.

255. By developing civic awareness, publicizing their rights as citizens and as women, continuously recognizing their contribution to the development of their

family, the community and their country, reinforcing their status as human beings and their awareness of their rights, messages that are passed along during the different events, whether they involve technical training, dissemination of studies, or local development workshops. In Carhauz, a medium-term vision has been put together successfully, and proposals for interventions with women participating are running at 50 per cent.

256. By promoting leaders, especially women leaders, in areas where women have traditionally been passed over (suburban), in areas of urban poverty in different parts of the country. In the district of Acopampa, a training programme is being developed for local leaders, with women accounting for 55 per cent of participants.

257. By promoting the development of skills, abilities and initiatives by building on the individuals' working experience, families and cultural apprenticeship. Enrolment by women in the training courses for producing lace fabrics is 98 per cent, as this business is of the utmost importance to craft production in the Hualhuas area.

258. Another case in point is the Chavin region, where in the training workshops for product processing 70 per cent of the women are involved and receive 85 per cent of the training given, while accounting for 50 per cent of all borrowers.

Estimate of project beneficiaries

Department	*Loans*[1]
Lima	
San Carlos and Jardín de Rosa de Santa María	15
Junín	
Hualhuas and Juan Parra del Riego	80
Ica	
Right bank of River Ica	10
Ancash	
Carhuaz, Acopampa and Chimbote	40
Cajamarca	
Mollepampa	15
La Libertad	
Miguel Grau-Trujillo	15
Total	**175**

Source: Productive Habitat Development Project; INADUR-VMVC-MTCVC Agreement

[1] Loans: Include HABIPRO Credit Programme and PROCRENI (Credit for Innovative Businesses).

Estimate of project beneficiaries — training

Department	*Training*[1]
Lima	
San Carlos and Jardín de Rosa de Santa María	240
Junín	
Hualhuas and Juan Parra del Riego	440
Ica	
Right bank of River Ica	140
Ancash	
Carhuaz, Acopampa and Chimbote	670
Cajamarca	
Mollepampa	330
La Libertad	
Miguel Grau-Trujillo	85
Total	**1,905**

Source: Productive Habitat Development Project: INADUR-VMVC-MTCVC Agreement

[1] Training: Includes Business Training, Transfer of Technology, and Skills Development, between 1996 and 1998

Rural women

Article 14

General situation

259. The issue of rural women as far as State programs are concerned is rooted in the policy within the agrarian sector. The main thrusts of this policy are: consolidation of production units; democratization of the gathering and dissemination of agricultural information; streamlining of land titling; support to and decentralization of the generation and transfer of production technology and improvements in the profitability of agriculture; organization of growers; forging of strategic alliances; horizontal and vertical integration of the different development agents; support for the formation of agricultural organizations; and an all-out assault on rural poverty.

260. Peru has more than 25 million inhabitants; 28 per cent of them live in rural areas, and of these more than 50 per cent are women. 34.3 per cent of all women live in rural areas, that is, of every 100 women in the country 34 live in rural areas.

Women heads of household

261. In 1999, following the 1998 National Household Survey (ENAHO), the National Institute of Statistics and Information Science (INEI) reported that 80 per cent of the households are headed by men, with women heading only 20 per cent of them. Broken down by area of residence, households headed by women in rural

areas represent 17 per cent, 5 percentage points fewer than those in urban areas (22 per cent).

Households by sex of head of household, 1998

Area and national region	*Total*	*Men*	*Women*
Total	100.0	80.0	20.0
Urban	100.0	78.3	21.7
Rural	100.0	83.5	16.5
Metropolitan Lima	100.0	77.6	22.4
Rest of coastal strip	100.0	81.5	18.5
Sierra	100.0	79.5	20.5
Selva	100.0	84.5	15.5

Source: INEI, Characteristics of Heads of Household, ENAHO, 1998.

262. In terms of age groups, it can be seen that most (male) heads of household range in age from 30 to 49 years, whereas most women heads of household are 40 or over. It is important to note that in rural areas a high percentage of households are headed by women more than 60 years old.

Heads of household by age group, 1998

				Urban		*Rural*	
Age group	*Percentage*	*Men*	*Women*	*Men*	*Women*	*Men*	*Women*
15-19	0.4	0.3	0.9	0.4	0.9	0.1	0.1
20-29	10.4	11.4	6.7	11.0	7.9	12.0	3.6
30-39	22.7	25.0	13.6	24.4	14.2	26.1	12.0
40-49	24.5	24.8	23.3	26.5	24.2	21.6	21.1
50-59	18.3	17.4	21.7	17.9	21.5	16.5	22.2
60 and over	23.7	21.2	33.7	19.8	31.2	23.8	40.1

Source: INEI, Characteristics of Heads of Household, ENAHO, 1998.

263. Of all households headed by women in rural areas, more than one half (53.6 per cent) have no schooling whatever; only 36 per cent of the female heads of household attained the primary level, unlike the men, who for the most part (85.1 per cent) attained between the primary and secondary levels.

Educational level of heads of household, 1998 (per cent)

	Country as a whole			*Urban*			*Rural*		
Peru	*Total*	*Men*	*Women*	*Total*	*Men*	*Women*	*Total*	*Men*	*Women*
No schooling	8.6	4.7	23.9	3.9	1.5	12.5	17.9	10.7	53.6
Preschool	0.1	0.1	0.2	0.1	0.0	0.2	0.2	0.2	0.2
Primary	38.4	39.1	35.6	27.7	25.6	35.4	59.8	64.5	36.3
Secondary	33.4	35.6	24.7	41.0	43.5	32.1	18.1	20.6	5.3
Higher (non-university)	7.1	7.2	6.7	9.5	9.8	8.3	2.3	2.2	2.7
Higher (university)	12.5	13.4	8.9	17.8	19.5	11.6	1.8	1.7	1.9

Source: INEI, Characteristics of Heads of Household, ENAHO, 1998.

264. In rural areas, women heads of household are primarily engaged in agriculture (67.2 per cent), followed by commerce (16 per cent); 6 per cent work in the manufacturing industry and another 6 per cent are engaged in community and social services.

Breakdown of employed female population, by branch of economic activity (per cent), 1998

Agriculture	67.2
Commerce	15.9
Community and social services	6.2
Manufacturing industry	6.0
Others	4.5

Source: INEI, Characteristics of Heads of Household, ENAHO, 1998.

Literacy and training of rural women

265. According to the latest National Household Survey (ENAHO, 1998), only 3.5 per cent of the urban population had no schooling, compared with 17.5 per cent in rural areas, which is why the national literacy program is focusing greater attention on rural areas.

266. During 1998, through the Resettlement Support Programme (PAR), the Ministry for the Advancement of Women and Human Development participated in the literacy training of 10,439 persons, most of them women, both in the rural areas of the Sierra, in the departments assigned priority under the PAR (Ayacucho, Apurimac, Huancavelica, and Junín), and in the indigenous communities (Alto Cenepa). To this end, programs were developed that were pedagogically suited to their cultural characteristics, training literacy teachers selected by the communities themselves and providing pupils with the necessary teaching materials. So far 6,300 people have been taught to read and write.

267. In addition, through the National Institute for Family Wellbeing (INABIF), a literacy and vocational training programme at community centres is being developed, targeted to women at risk. During the review period, this programme has been expanded into rural areas, and training in nontraditional trades has been included.

268. As part of the Ministry of Education's "Basic Education for All" programme, the project "Development and Socioeconomic Strengthening of Illiterate Indigenous Women in Rural Areas" was carried out, expanding on an educational proposal for the advancement of rural women, while respecting the cultural and linguistic characteristics of those living in ten departments throughout the country. To reinforce extension of the project, 10 model curricula were prepared that incorporated materials on gender, responsible fatherhood and motherhood, equality of opportunities, democracy, health, education and labour.

269. Other training programmes conducted with the participants during 1998 under the PAR's Organized Return Programme included 7 workshops targeted to displaced women; 300 women took part, and the issues covered were gender and leadership.

Agricultural training programmes

270. The Ministry of Agriculture plays an important role in carrying out agricultural training programmes as a means of significantly increasing productivity and making farming a paying proposition. Through the FEAS project, Promotion of Technology Transfer to Peasant Communities of the Sierra, training is being given to 1,900 students, about 40 per cent of whom are women, who are currently studying at 10 agricultural colleges. In 1998, the workshop "Results of the Technical Assistance Service to Support Productive Activities by Peasant Women" was held at Cajamarca and attended by women leaders of peasant organizations.

271. Rural women participate to the full in all the agricultural programmes; in 1998, 96 organizations of women from rural communities were formed and used funds from the bank accounts to market seeds. Similarly, through the project Natural Resource Management in the Southern Sierra (MARENASS), 21 mothers' clubs, each with 30 members, were trained in business management and pasture management. It is worth reporting that one community mother won the competition at Apurimac for businesswomen from the rural sector and went on to the national final at Huancayo.

272. In 1998, training was begun for 249 teachers with a view to achieving a multiplier effect.

Access to credit and income generation

273. Through the Resettlement Support Programme (PAR), the Ministry for the Advancement of Women and Human Development has been executing the Million Peasant project, which in 1998 took care of 65 women in Puno and Junín with loans of between 300 and 6,000 new soles each, to fund the production and marketing of foodstuffs, while in 1999 funding will be provided for 100 women at similar levels.

274. Thanks to the microenterprise programme, 64 microenterprises operated in 1998, while in 1999 another 35 are being formed through mergers. Although PAR does not lend at the micro level, its task is to make it easier for small businesswomen to borrow, and, through the training process, it gives them all the

information they need on how to apply for small loans and what institutions offer them. Within the six micro-credit programmes, where loans range from S/. 300 to 6,000 new soles — mainly to promote production, especially in agriculture — the priority has been to benefit women heads of household classified as returnees or resisters.

275. Under way in the rural sector is the National Watershed Management and Soil Conservation Project (PRONAMACHCS), the principal executing arm of the Ministry of Agriculture in the Sierra region; its main thrust is to develop agricultural sectors with an eye to expanding economic opportunities. One of its components is to strengthen peasant organizations by means of training and technical assistance to communities to improve their organization and achieve economic self-management; it includes a special support programme for women, known as "Business Initiatives," which is targeted at peasant women working in agriculture and had a revolving capitalization fund of US$375,000 for 1999. It operates through committees made up of 20 women from a community. Nationwide there are about 2,400 women from 9 departments (Ancash, Amazonas, Apurimac, Huancavelica, Huánaco, Junin, Ayacucho, Cuzco and Cajamarca) who have access to these funds, which are mostly earmarked for such activities as beekeeping, cereal milling, small animals, fish farms, fabric making, processing of dairy products, and fruit orchards, up to a maximum amount of US$2,000. For 1999, the total cost of a unit under the Business Initiatives was raised by up to 300 per cent, and the planned investment was increased up to US$5,000 per production unit.

276. The project "Food Assistance to Women's Groups to Promote Microenterprises," which is executed by the National Programme for Food Aid (PRONAA), is intended to improve nutritional levels and promote the health and education of women organized into mothers' clubs in rural areas in the departments of Ancash, Cajamarca, Cuzco, Lima, Puno and outlying urban areas in Arequipa province; 178 loans were made to as many women's small businesses, for a total of US$927,557. Comprehensive Services were provided to 134 women.

277. In addition, under PRONAA's special project "Generation of Income through Self-managed Productive Activities," which comes under the general heading of food aid, foodstuffs are given to groups of women in rural or outlying urban areas to enhance their income levels using their management ability, by providing them with production techniques and access to loans. The idea is to phase out the food aid as the productive unit gains strength. The aim is therefore for the women to start asserting their identity as producers and become part of a productive culture that can handle credit. It is worth emphasizing that the delinquency rate is relatively low at only 1 per cent.

278. Those participating in this project are women who belong to mothers' clubs and/or people's canteens that receive this food assistance. In Lima, the women are from the greater Lima area and Callao, and they apply for loans for productive activities in ready-made clothing, weaving, and foodstuffs. In the provinces, the applications come from the rural areas of the Sierra, specifically the departments of Ancash, Cajamarca, Cuzco and Puno; the activities here involve fishing and farming.

279. In 1998, by agreement with PRONAA, the World Food Programme (WFP) granted loans totalling US$927,557 to 178 microenterprises, benefiting 10,680 women. They were also enrolled in a comprehensive service of training, technical

assistance and marketing advice, costing US$360,000, and provided with US$703,510 worth of food as an incentive to participate in a productive activity. Of the 178 businesses formed, 43 per cent are engaged in foodstuffs, 37 per cent in clothing and weaving, and the rest in services and crafts. In terms of project management, a system has been built up to monitor the credits granted, and 227 surveys of microenterprises have been carried out. The scope of the project encompasses rural communities in the departments of Ancash, Cajamarca, Cuzco and Puno, as well as the outlying urban areas of Lima, Callao, Piura, Chiclayo, Trujillo and Arequipa.

280. The project has proved a success in that family income levels have gone up by between 25 per cent and 75 per cent, which shows a positive impact on the finances of members' families and on income generation.

281. It similarly provides comprehensive services that include not only promotion and motivation, but also technical assistance combined with the provision of machinery and equipment to help economic units get started. Achievements include: 66 microenterprises formed; 73 production training courses held, mostly for the children of the members of the mothers' clubs and canteens, in order to qualify them for the labour market; 177 technical strengthening services; 129 items of equipment delivered to economic units; and 6 fairs to market the products of the microenterprises.

Appropriate technology and transfer of technology

282. One reason for the slow pace of development in rural areas has been the lack of appropriate technology and poor access to technology. Accordingly, the National Institute of Agrarian Research (INIA) of the Ministry of Agriculture has been helping to increase mechanization in Peruvian agriculture so as to enhance its profitability; it has also promoted brainstorming sessions aimed at having more women included in productive processes and at introducing new technologies without discrimination based on gender. This Institute is operating eleven national research programs located at nine experimental stations in the departments of Lima, Cajamarca, Ayacucho, Cuzco, Jinín, Puno, Loreto, Ucayali, and San Martín.

283. The transfer of technology takes place at the experimental stations, where the validation units coordinate directly with the farmers' associations, mothers' clubs, and youth and children's organizations, with which they hold training courses, consensus-building meetings, field days, farm tours, visits to demonstration plots, and other events involving transfers of technology. Agreements are also entered into with public and private institutions and other organizations.

284. Under an agreement with FAO, INIA is executing a project on automated irrigation for year-round vegetable growing. The direct beneficiaries are 8 mothers' clubs representing 132 families in the department of Ayacucho. The women are trained in this technology, which is easy to adapt and operate. It has been noted that this activity is of particular benefit to single female heads of household.

285. The project for Natural Resource Management to Alleviate Poverty in the Sierra focuses on assistance to business initiatives by women; production modules have been implemented at a cost of 4,050 new soles. They are currently being introduced in 11 departments around the country, mostly in the Sierra. Under the

project, the women are given training on specific business initiatives, financial and administrative management, and gender.

Childcare services

286. In April 1999, amendments were made to the Regulations on Organization and Functions of PROMUDEH with respect to the Wawa-Wasi Program, emphasizing its work in the area of promotion and training on matters of gender, in both rural and urban environments. In the regions and subregions there are 2,684 Wawa-Wasis taking care of 20,200 children.

287. There are also Wawa-Utas (nurseries) in rural areas, as a result of efforts by women, the local authorities, and male heads of families in coordination with the Ministry of Education; as well as Pukllaywasis (play groups) promoted by organizations within the rural community in coordination with the health and education sectors and NGOs.

Rural roads

288. During the period, studies have been conducted to evaluate the impact of rural roads that have been rehabilitated under the World Bank project being executed by the Ministry of Transportation, Communications, Housing and Construction. Analysis focused specifically on the relationship between these roads and the issue of gender relations. The findings revealed how important the roads are to women in terms of improving their mobility, their access to markets and productive inputs, and household productivity. The project is now entering a second phase, which will continue to restore roads that will benefit more remote rural townships.

Health of rural women

289. Protection and preservation of rural women's health are provided for in General Health Act No. 26842 of July 1997, through nationwide public services and campaigns, in the 1998-2002 National Population Plan approved by S.D. No. 011-98-PROMUDEH of September 1998, and in the 1998-2000 National Plan for the Prevention of Gynaecological Cancer (R.M. No. 103-99-SA/DM) of February 2999, which covers all women, whether in urban, suburban or rural areas.

290. One of the main thrusts of the Resettlement Support Programme (PAR) is to promote access to health services for those returning to their former homes. Accordingly, by agreement with the health sector, it is building, or if necessary restoring, health centres and posts. During 1998, 24 health posts were built and 6 were equipped, benefiting as many number population centres with an estimated combined population of 14,000.

291. With respect to family planning activities, 36 programmes were carried out for a total of some 1,800 young people.

292. INABIF has been developing a health education programme at community centres for women at risk. During the period it was extended to rural areas. (For more information see Article 12.)

Civic participation by rural women

293. INIA is at present conducting events and projects with a gender-based approach at which it encourages women in all areas — whether rural, suburban or

urban — to become active. INIA offers technical assistance to the women and shows them model set-ups for rearing small animals and growing crops, chiefly vegetables.

294. The National Agrarian Confederation (CAN) comprises 12 active federations, in which at present 9 have rural women occupying the position of women's secretaries; their activities are coordinated with the managing boards of the federations and with the Gender Unit of PRONAMACHCS.

295. Exceptionally, women occupy other positions within the federations, such as secretaries of defence or economy. The aim of the federations is to encourage and strengthen the work force by means of organizations, committees, and associations of rural women, and to train them and integrate them into the trade. In the agrarian leagues in the provinces, which are the cornerstones of the CAN, at least one third of the leaders are women.

296. The enumeration censuses carried out in the federations in Ancash reveal that, out of a total of 47 peasant communities surveyed, 29 have peasant women on their governing bodies, while in Huánaco, out of a total of 79 peasant communities, 14 have women in management positions, and in Cuzco, of a total of 81 there are 9 communities in which women occupy board positions. There is thus evidence of progress in public participation by peasant women on the governing boards of the communities.

297. Moreover, the surveys conducted as a follow-up to the diagnosis in the federations in Ancash, Huánaco and Lima show that there is a high percentage of peasant women holding positions in grass-roots organizations.

Grass-roots organizations, 1998	*No. of women holding positions*
Women's organizations	527
Executing nucleus, FONCODES (treasurers)	4
PRONAMACHCS Committees	2
Pro-electrification Committee	1
Peasant neighbourhood associations	4

Gender equity programmes

298. PRONAMACHCS is implementing policies and actions with an eye to gender equity in women's business initiatives and to enhancing the value of women in their families and the community, by promoting their participation in the management of resources, in business initiatives, in peasant organizations, and through family participation in training events. In the current year, the objective is to exceed the level of activities achieved in 1998 and to organize gatherings of peasant leaders at the departmental and national levels.

299. As part of the REHAVIR project being executed by PAR to rehabilitate rural dwellings and provide basic services to families displaced by the violence, training was provided for 300 families from the seven localities participating in the project; in the rural areas, strong participation was noted among men, who showed great interest in the matter. In 1999 it is planned to continue these activities, especially in rural areas.

300. In the national park in Huascarán gender-based organizational and training activities are being carried out on aspects of service quality, generation of productive activities, such as nurseries for medicinal plants, handcrafts, etc., with the participation of the people living adjacent to the park, in particular the women, notably the association of food vendors at Pastoruri, which is made up of 30 women from the Catac district, most of them literate Spanish and Quechua speakers, and the association of food vendors at Huamachuco, with 26 female members.

Equality before the law

Article 15

301. Article 2(2) of the Peruvian Constitution embodies the principle of equality before the law. Accordingly, no person may be discriminated against on grounds of origin, race, sex, language, religion, opinion or economic status, or on any other grounds.

302. In this respect, it must be stated that, through its different hierarchical bodies, the Judiciary, pursuant to its authority to administer justice, is complying with its duty to safeguard and protect this constitutional principle by ensuring that the cases being handled within the Judiciary are treated in strict compliance with the procedural stages set forth in our current legal rules, without regard for the sexual aspect of the parties involved.

303. Also, as part of the Training Programme for Magistrate Candidates, the Magistrates' School introduced in the first and second courses given at its head offices in Lima and Lambayeque, in the module dealing with the "Socioeconomic Context of the Magistracy," a chapter on the constitutional scope of a woman's right to equality, in which this substantive and procedural right is analyzed from the perspective of gender.

304. The judges and prosecutors taking part in this programme are thus being sensitized to the importance of this right and the impact that their rulings have on women.

Matrimonial and family rights

Article 16

General situation

305. The community and the Peruvian State afford special protection to children, adolescents, mothers and elderly persons who have been abandoned. They also protect the family and promote marriage. This protection is enshrined in Peru's Political Constitution.

306. Family clearly plays a vital role in Peruvian society, since it passes on lifestyles that in turn become stereotypes not always in step with society's progress. The Peruvian Government is accordingly seeking to educate all its members in order to consolidate the family's role in society. In this respect, families are also defended against internal problems, such as domestic violence, which is why the legislation on families is being improved as described below.

Measures adopted

307. In 1997, the Judiciary ordered the Superior Court of Justice in Lima to implement the segregation of jurisdictions based on the nature of the matters heard by the Specialized Family Courts, in order that the magistrates could in turn become specialized in each of the areas that up to 1996 they had been covering together.

308. During 1998, the Judiciary organized six plenary jurisdictional sessions in the area of family law, the primary purpose of which was to standardize case law criteria and train magistrates specializing in family law, so that they could afford due protection to the victims of domestic violence by granting precautionary measures in advance.

309. In addition, the Judiciary's Commission on the Family, made up of a group of magistrates, trained judges in family rights, including family dynamics and family law.

310. In agreement with NGOs, the Attorney General's Office and the Judiciary have held training courses for prosecutors, family judges and criminal judges on the issues of: family law; abuse and violence within the family (rape within the marriage; child abuse and sexual abuse; incest; and paedophilia). These subject courses were designed on the basis of psychological and sociological profiles, as well as on the law.

311. The Attorney General's Office and the Judiciary have jointly designed a programme of periodic lectures on family law for judges and prosecutors; their attendance at the lectures is now officially acknowledged in their files.

Measures adopted to benefit the rights of minors

312. On the subject of adoptions, on 1 October 1998, at PROMUDEH's initiative, Act No. 26981, the Act on Administrative Procedures for the Adoption of Minors Legally Declared Abandoned, was promulgated. A worldwide trail-blazer, this act places adoption procedures under the responsibility of the Office of Adoptions and releases the Judiciary so that it can focus preferentially on the processing of guardianship investigations in respect of minors presumed to have been morally and physically abandoned. This procedure has substantially shortened waiting periods, resulting in a steadily increasing number of applications for adoption, especially by Peruvians.

313. It should be emphasized that a nationwide evaluation of 562 cases has shown the number of adoptive parents who are Peruvian nationals has been rising steadily, thanks to PROMUDEH's ongoing dissemination campaigns and changes in the relevant legislation.

314. Between 1999 and 1999, PROMUDEH arranged 522 guardianship investigations across the country, an effort that has been strengthened this year with assistance from international organizations to fund travel into the interior to initiate and pursue guardianship investigations of children and adolescents in those areas who are presumed to have been abandoned.

315. The 522 investigations yielded 300 writs of abandonment; 350 parental designations were made for legally abandoned children and adolescents, allowing them to become part of suitable families, duly evaluated by the Office of Adoptions.

316. Mention should be made of the ongoing consciousness-raising campaigns for children who are hard to place, typically over 5 years old, with disabilities, or comprising groups of siblings; results have been very positive, and 96 parental designations have resulted from these campaigns.

317. Another important aspect is the nationwide system of post-adoption reports, a key building block of the new adoption system. They ensure that adoptees are followed up for three to four years after the adoption has been formalized. To date, 1,020 such monitoring reports have been filed.

318. In addition, 20 supervision trips have been made to the interior of the country, with priority going to the most depressed areas and to the field headquarters of the Office of Adoptions, in order to supervise their performance and liaise with the local authorities to make them fully aware of the adoption issue and commit the necessary support.

319. It is worth emphasizing that, because of the new adoption system's reputation as being responsible and credible, 194 biological fathers/mothers have felt able to approach the Office of Adoptions to put their children up for adoption owing to their extreme poverty.

320. As part of the educational effort in respect of adoptions, 39 training and guidance workshops nationwide have been held for adopters and adoptive parents, as well as short seminars for family judges and prosecutors, authorities and institutions involved in guardianship investigations, university professionals and students, as well as personnel from the Office of Adoptions, field headquarters, and representatives from entities collaborating on adoption matters. Materials distributed included 2,000 guides, 2,000 copies of Act No. 26981, 600 pamphlets, 2,000 bulletins, 1,000 digests of adoption rules, and 2,000 posters for consciousness-raising campaigns. As far as training is concerned, 6 specialized workshops were held, as well as 14 workshops for adopters and 25 for adoptive parents.

321. Publications have also included: posters, pamphlets describing adoption, campaign posters to encourage the adoption of children aged over 5 years, groups of siblings, or children with disabilities; a guide for adopters explaining the scope of the new act, and a guide for adoptive parents; Act No. 26981, the Act on Administrative Procedures for the Adoption of Minors Legally Declared Abandoned; and a digest of adoption rules and regulations. An institutional video on the adoption system was also produced.

322. During 1998 international cooperation funding was available to finance these activities. A second phase of this support was negotiated and will be executed from June 1999 through December 2000.

323. During the present year (1999), full coverage was attained in the field of prevention; efforts focused on the prevention of trafficking in babies, prevention of precocious maternity and paternity, and prevention of drug use. Attempts were also made to secure a consensus on the part of public and private institutions and the organized community, taking as starting-point the "Adolescent Leaders' Network" projects for the prevention of drug use among children and adolescents, which was partially funded by foreign contributions.

324. As a defender of family rights, Peru has adopted measures to guarantee the protection of this institution that is the cornerstone of society. In 1992, it recast the

Code on Minors as the Code of Children and Adolescents, which took effect in 1993; it is based on the fundamental premise that "children and adolescents are subjects of rights and not objects of guardianship and as such it assists them...."

325. PROMUDEH has been responsible for spearheading 1,040 Public Defenders' Offices for Children and Adolescents nationwide, and is supervising 611 of them. There is also a register of 323 defenders' offices. Also noteworthy is that across the country 8 networks have been set up to prevent and respond to child abuse.

326. As part of PROMUDEH's Kusisqa Wawa project (children's home), resilience training has been given to children of both sexes (self-esteem, creativity, humour, and independence); these sessions benefited 1,697 children aged 2 to 5 years in recreational workshops, while workshops were also arranged for 1,468 mothers of children aged 0 to 3 years.

327. In the same vein, non-aggressive family relationships have also been reinforced through workshops for fathers of children aged 2 to 5, with 822 fathers benefiting. Other recreational workshops were arranged for 1,254 older brothers ranging in age from 6 to 12 years.

328. At the initiative of the Commission on Women and Human Development, the Congress is currently holding a plenary session to mark up a bill ordering that physical separation of at least three years shall constitute grounds for divorce.